

PART MM
AN ACT TO CREATE
LEARNING COMMUNITIES IN MAINE

Sec. MM-1. 20-A MRSA §1 as amended by PL 2005, c. 662, §§4 and 5 is further amended to read:

§1 Definitions

As used in this Title, unless the context indicates otherwise, the following terms have the following meanings.

1. Adult education. "Adult education" means education programs primarily operated for individuals beyond the compulsory school ages and administered by school administrative units.

1-A. Agent. "Agent" means an individual appointed to serve in the capacity of a superintendent.

2. Approved private school. "Approved private school" means a private school approved for attendance purposes under chapter 117.

3. Board of directors. "Board of directors" means the governing body with statutory powers and duties for a school administrative ~~district~~ unit.

3-A. Child with a disability. "Child with a disability" has the same meaning as in section 7001.

4. Commissioner. "Commissioner" means the Commissioner of Education or the commissioner's designee.

5. Community school district. "Community school district" means a state-approved unit of school administration composed of more than one municipality or school administrative district which may provide public education for any combination of kindergarten through grade 12. This provision is repealed June 30, 2008.

6. Cooperative board. "Cooperative board" means the governing body with statutory powers and duties for a career and technical education region. This provision is repealed June 30, 2008.

6-A. Courses of study. "Courses of study" means the courses of study for the elementary and secondary schools that are in alignment with the system of learning results as established in section 6209 and consistent with the requirements of this Title.

7. Department. "Department" means the Department of Education.

8. District board of trustees. "District board of trustees" means a body with statutory powers and duties for a community school district. This provision is repealed June 30, 2008.

9. District school committee. "District school committee" means the governing body with statutory powers and duties for a community school district. This provision is repealed June 30, 2008.

10. Elementary school. "Elementary school" means that portion of a school that provides instruction in any combination of kindergarten through grade 8.

11. Elementary student. "Elementary student" means a student enrolled in an elementary school.

13. Financial definitions. "Financial definitions" is defined in section 15503.

13-A. Homeless student. "Homeless student" means a person eligible to attend elementary or secondary school pursuant to section 5201 who:

A. Lacks a fixed, regular and adequate nighttime residence;

B-1. Is a child or a youth:

(1) Who is sharing the housing of other persons due to loss of housing or economic hardship or a similar reason; is living in a motel, hotel, trailer park or camping ground due to the lack of alternative adequate accommodation; is living in an emergency or transitional shelter; is abandoned in a hospital; or is awaiting foster care placement;

(2) Who is living in a car, park or public space or in an abandoned building, substandard housing, bus or train station or similar setting;

(3) Who has a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings; and

(4) Who is a migratory child, as defined in Section 1309 of the federal Elementary and Secondary Education Act of 1965, who qualifies as homeless for the purpose of this chapter because the child is living in circumstances described in this section.

The term "homeless student" does not include a person housed in a correctional facility, jail or detention facility.

14. Joint committee. "Joint committee" means the governing body with statutory powers and duties for implementing a contract for secondary education under chapter 115. This provision is repealed June 30, 2008.

15. Kindergarten. "Kindergarten" means a one-year or 2-year childhood education program immediately prior to grade one.

16. Local allocation. "Local allocation" is defined in section 15503, subsection 12.

17. Major capital costs. "Major capital costs" is defined in section 15672, subsection 18-A.

18. Minor capital costs. "Minor capital costs" is defined in section 15672, subsection 20-A.

19. Municipal school unit. "Municipal school unit" means a state-approved unit of school administration composed of a single municipality. This provision is repealed June 30, 2008.

19-A. Newly incurred capital outlay and debt service. "Newly incurred capital outlay and debt service" means capital outlay and debt service costs for a school construction project approved for funding by the voters on or after June 1, 1998.

20. Parent. "Parent" means a parent, guardian or legal guardian.

21. Principal. "Principal" means the person who supervises the operation and management of a school and school property as determined necessary by the superintendent under policies established by the school board.

22. Private school. "Private school" means an academy, seminary, institute or other private corporation or body formed for educational purposes covering kindergarten through grade 12 or any

23. Private school approved for tuition purposes. "Private school approved for tuition purposes" means a private school approved for the receipt of public funds under sections 2951 to 2955.

24. Public school. "Public school" means a school that is governed by a school board of a school administrative unit and funded primarily with public funds.

24-A. Residential placement. "Residential placement" includes the placement in any children's home licensed pursuant to Title 22, chapter 1669, including:

A. An "emergency shelter," which is a facility operated by a corporation and licensed for the purpose of providing board and care to no more than 10 children over the age of 12 years, who may be runaways or abused children or whose well-being is jeopardized by some other crisis or emergency, and providing services to a child for not more than 21 consecutive days, except with special permission;

B. A "foster home," which is a private home occupied and operated by the owner and licensed to provide 24-hour care for no more than 6 nonrelated children;

C. A "specialized children's home," which is a facility licensed to provide care to no more than 4 moderately to severely handicapped children by a caretaker who is specifically educated and trained to provide for the particular needs of each child placed; and

D. A "residential child care facility," which provides board and care for one or more children on a regular, 24-hours-a-day, residential basis. A residential child care facility does not mean family foster home, specialized children's home or an

emergency shelter facility. The term includes, but is not limited to:

- (1) A "group home," which is a residential child care facility operated by a corporation and licensed for the purpose of providing board and care for up to 10 children;
- (2) A "residential agency," which is a residential child care facility operated by a corporation and licensed for the purpose of providing board and care to more than 10 children;
- (3) A "residential treatment center," which is a residential child care facility operated by a corporation and licensed for the purpose of providing therapeutically- planned, group living situations within which educational, recreational, medical and sociopsychotherapeutic components are intergrated for children whose present handicaps preclude community outpatient treatment;
- (4) A "residential treatment facility," which is a residential child care facility operated by a corporation and licensed for the purpose of providing board, care and treatment for more than 10 moderately to severely handicapped children and which does not contain an educational component; and
- (5) A "therapeutic group home," which is a residential child care facility operated by a corporation and licensed for the purpose of providing board, care and treatment for up to 10 moderately to severely handicapped children.

25. School administrative district. "School administrative district" means a state-approved unit of school administration, composed of one or more municipalities which must provide public education to all public school students in the district. This provision is repealed June 30, 2008.

26. School administrative unit. "School administrative unit" means the state-approved unit of school administration and includes a municipal school unit, school administrative district, community school district or any other municipal or quasi-municipal corporation responsible for operating or constructing public schools, except that it does not include a career and technical education region. Beginning July 1, 2008, the regional learning communities, as established in section 1103, shall serve as the sole state-approved school administrative units in the State.

28. School board. "School board" means the governing body with statutory powers and duties for a school administrative unit.

29. School committee. "School committee" means the governing body with statutory powers and duties for a municipal school unit. This provision is repealed June 30, 2008.

30. School construction project. "School construction project" is defined in section 15901, subsection 4.

31. School union. "School union" means a union composed of school administrative units joined for the purpose of providing joint administrative services, including a joint

superintendent. This provision is repealed June 30, 2008.

32. Secondary school. "Secondary school" means that portion of a school that provides instruction in any combination of grades 9 through 12.

33. Secondary student. "Secondary student" means a student enrolled in a secondary school.

34. Special school district. "Special school district" means a school district created by private and special law for the purpose of constructing or adding to school buildings, but which does not have the authority or responsibility for operating public schools. This provision is repealed June 30, 2008.

34-A. State agency client. "State agency client" means a child of eligible school age who is:

A. In the care or custody, or both, of the Department of Health and Human Services;

B. Placed, by a caseworker from the Department of Health and Human Services or an authorized agent of Children's Services, Department of Health and Human Services for reasons other than educational reasons, with a person who is not the child's parent, legal guardian or relative;

C. [1997, c. 326, §1 (rp).]

D. Attending a public or private school while still a resident of a state-operated institution; or

E. In the custody or under the supervision of the Department of Corrections, including, but not limited to, a juvenile on conditional release, an informally adjusted juvenile, a probationer or a juvenile on community reintegration status from the Long Creek Youth Development Center or the Mountain View Youth Development Center and who is placed, for reasons other than educational reasons, pursuant to a court order or with the agreement of an authorized agent of the Department of Corrections, outside the juvenile's home.

Notwithstanding paragraphs A to E, a "state agency client" may in addition be either a child who is under 3 years of age and has a diagnosed, established condition or a biological factor that has a high probability of resulting in developmental delay or a child who is under 6 years of age and in need of early intervention of special education services due to a delay in one or more of the following areas: cognitive development; physical development, including vision and hearing; communication development; social or emotional development; and adaptive development.

35. State allocation. "State allocation" is defined in section 15503, subsection 20.

36. State board. "State board" means the State Board of Education.

37. State and local allocation. "State and local allocation" is defined in section 15503, subsection 21.

37-A. State valuation. "State valuation" means the value certified to the Secretary

of State as provided in Title 36, section 305, subsection 1.

38. Subdistrict. "Subdistrict" means a geographic area which is a subdivision of a school administrative district for election purposes. This provision is repealed June 30, 2008.

39. Superintendent. On or before June 30, 2008, "Superintendent" means the person in a school administrative unit or school union appointed and having the authority and responsibility under this Title and other applicable statutes. On or after July 1, 2008, "Superintendent" means the person in a school administrative unit appointed and having the authority and responsibility under this Title and other applicable statutes.

40. Union committee. "Union committee" means the governing body with statutory powers and duties for a school union. This provision is repealed June 30, 2008.

41. Union school. "Union school" means a school operated by adjoining municipal school units under a joint agreement. This provision is repealed June 30, 2008.

42. Career and technical education center. "Career and technical education center" is defined in section 8301-A, subsection 3.

43. Career and technical education. "Career and technical education" is defined in section 8301-A, subsection 2-A.

44. Career and technical education region. "Career and technical education region" is defined in section 8301-A, subsection 6. This provision is repealed June 30, 2008.

45. Career and technical education satellite program. "Career and technical education satellite program" is defined in section 8301-A, subsection 8.

Sec. MM- 2. 20-A MRSA chapter 103, as amended, is further amended by repealing the chapter headnote and enacting the following in its place:

Chapter 103: SCHOOL ADMINISTRATIVE UNITS

Sec. MM-3. 20-A MRSA §1101 as enacted by PL 1981, c. 693, §5 and §8 is amended to read:

§1101. Organization of school administrative units

It is declared policy of the State to encourage the development of school administrative units of sufficient size to provide:

- 1. Opportunity.** ~~A more equalized~~ Equitable educational opportunity for pupils

all students to demonstrate achievement of the content standards of Maine's Learning Results;

2. Programs. ~~Satisfactory~~ Rigorous academic school programs that meet the requirements of the system of learning results established in section 6209 and that prepare Maine students for college, careers and citizenship;

3. Tax rates. A greater uniformity of school tax rates among the units; and

4. Public funds. A more effective use of the public funds expended for the support of public schools by means of:

(a) the creation of regional learning communities; and

(b) administrative structures and efficiencies that permit the organized, and regular delivery of uniform state-sponsored professional development programs to promote coherence and consistency in the understanding and application of Maine's standards-based system for continuous improvement in student achievement.

Sec. MM-4. 20-A MRSA §1102 is enacted to read:

§1101. Definitions

1. Implementation year. "Implementation year" means July 1, 2008 – June 30, 2009.

2. Regional learning community. "Regional learning community" means a regional educational services delivery center, as established in section 1103, that is, as of July 1, 2008, the sole state-approved school administrative unit in the State.

3. Transition year. "Transition year" means July 1, 2007- June 30, 2008.

Sec. MM-5. 20-A MRSA §1103 is enacted to read:

§1103. Establishment of regional learning communities by region

1. Legislative intent. It is the intent of the Legislature that each regional learning community shall provide educational services, included services to children with disabilities age birth to under age six and career and technical education, in accordance with this Title, and shall develop and implement policies that encourage collaboration in administration, professional development, educational programming, and the sharing of community resources, for the continuous improvement of student achievement and the preparation of the students in each regional learning community for college, careers and citizenship.

2. Boundaries. The regional learning communities have boundaries as follows:

Region # 1 Madawaska: Allagash, Saint Francis Plt., Saint John Plt., Wallagrass Plt., Eagle Lake, Winterville Plt. New Canada, Fort Kent, Frenchville, Saint Agatha, Madawaska, Grand Isle, Van Buren, Cyr Plt., Hamlin.

Region # 2 Caribou: Stockholm, Westmanland, New Sweden, Connor Twp., Caswell, Perham, Woodland, Caribou, Limestone, Fort Fairfield, Wade, Washburn.

Region # 3 Presque Isle: Portage Lake, Nashville Plt., Ashland, Masardis, Castle Hill, Mapleton, Chapman, Presque Isle, Westfield, Easton, Mars Hill, Blaine, Bridgewater, Garfield Twp., Oxbow Plt..

Region # 4 Houlton: Monticello, Hammond, Littleton, Moro Plt., Merrill, Smyrna, Ludlow, Houlton, New Limerick, Mount Chase, Hersey, Dyer Brook, Oakfield, Linneus, Hodgdon, Patten, Crystal, Island Falls, Cary Plt., Stacyville, Sherman, Benedicta Plt., Amity, Haynesville, Orient, Bancroft, Weston, Danforth.

Region # 5 Calais: Tallmadge, Waite, Grand Lake Stream Plt., Indian Twp. Res., Princeton, No. 21 Twp., Baileyville, Alexander, Calais, Baring Plt., Robbbinston, Meddybemps, Cooper, No. 14 Twp., Charlotte, Perry, Pembroke, Dennysville, Eastport, Pleasant Point, Crawford.

Region # 6 Machias: Wesley, Beddington, Deblois, Cherryfield, Columbia, Northfield, CentervilleTwp., Whitneyville, Marshfield, East Machias, Whiting, Cutler, Lubec, Milbridge, Harrington, Addison, Jonesport, Beals, Jonesboro, Machias, Machiasport, Roque Bluffs.

Region # 7 Ellsworth: Prospect, Verona, Bucksport, Orland, Otis, Mariaville, Waltham, Eastbrook, Ellsworth, Franklin, Sullivan, Gouldsboro, Steuben, Winter Harbor, Hancock, Surry, Blue Hill, Trenton, Lamoine, Penobscot, Castine, Brooksville, Sedgwick, Brooklin, Deer Isle, Isle Au Haut, Stonington, Swans Island, Frenchboro, Tremont, Southwest Harbor, Mount Desert, Bar Harbor, Cranberry Isles.

Region # 8 Bangor: Grand Falls Twp., Bradford, Corinth, Hudson, Alton, Greenbush, Milford, Old Town, Indian Island, Great Pond, Aurora, Amherst, Clifton, Osborn, Bradley, Stetson, Levant, Kenduskeag, Glenburn, Orono, Carmel, Hermon, Bangor, Veazie, Eddington, Brewer, Holden, Dedham, Newburgh, Hampden, Orrington, Winterport.

Region # 9 Lincoln: Glenwood Plt., Reed Plt., Macwahoc Plt., Millinocket, East Millinocket, Medway, Woodville, Mattawamkeag, Drew Plt., Topsfield, Codyville Plt., Lambert Lake Twp., Vanceboro, Chester, Sebois Plt., Winn, Webster Plt., Prentiss Twp., Medford, Maxfield, Howland, Enfield, Edinburg, Passadumkeag, Lowell, Burlington,

Lincoln, Lee, Springfield, Lakeville, Carroll Plt..

Region # 10 Dexter: Dennistown Plt., Moose River, Jackman, Beaver Cove, Greenville, Shirley, Ellitsville Twp., Blanchard Twp., Monson, Willimantic, Bowerbank, Barnard Twp., Brownville, Lake View Plt., Kingsbury Plt., Abbot, Guilford, Dover-Foxcroft, Sebec, Milo, Lagrange, Wellington, Parkman, Sangerville, Atkinson, Harmony, Cambridge, Ripley, Dexter, Garland, Charleston, Hartland, Saint Albans, Corinna, Exeter, Palmyra, Newport, Plymouth, Etna, Dixmont.

Region # 11 Belfast: Troy, Thorndike, Jackson, Monroe, Frankfort, Knox, Brooks, Freedom, Montville, Waldo, Searsport, Stockton Springs, Belfast, Swanville, Liberty, Morrill, Searsmont, Belmont, Northport, Unity.

Region # 12 Rockland: Washington, Appleton, Hope, Lincolnville, Islesboro, Camden, North Haven, Vinalhaven, Waldoboro, Warren, Union, Rockport, Rockland, Cushing, Thomaston, Owls Head, Friendship, Saint George, Matinicus Isle Plt., Criehaven Twp., Monhegan Island Plt., South Thomaston.

Region # 13 Skowhegan: Sapling Twp., West Forks Plt., The Forks Plt., Caratunk, Highland Plt., Pleasant Ridge Plt., Moscow, Lexington Twp., Concord Twp., Bingham, Brighton Plt., New Portland, Embden, Solon, Athens, Anson, Madison, Cornville, Starks, Norridgewock, Skowhegan, Canaan, Pittsfield, Detroit, Burnham, Mercer, Smithfield.

Region # 14 Waterville: Rome, Fairfield, Clinton, Oakland, Waterville, Benton, Albion, Winslow, Belgrade, Sidney.

Region # 15 Augusta: Unity, Fayette, Mount Vernon, Vassalboro, China, Palermo, Wayne, Readfield, Winthrop, Manchester, Augusta, Windsor, Somerville Plt., Monmouth, West Gardiner, Hallowell, Gardiner, Farmingdale, Pittston, Whitefield, Jefferson, Chelsea, Richmond, Randolph.

Region # 16 Bath: Dresden, Alna, Nobleboro, Damariscotta, Bremen, Bristol, Edgecomb, Wiscasset, Woolwich, South Bristol, Bath, West Bath, Arrowsic, Newcastle, Phippsburg, Georgetown, Boothbay, Boothbay Harbor, Southport, Westport, Monhegan Plt..

Region # 17 Brunswick: Bowdoin, Bowdoinham, Topsham, Brunswick, Freeport, Harpswell.

Region # 18 Lewiston: Turner, Leeds, Litchfield, Minot, Auburn, Lewiston, Greene, Wales, Mechanic Falls, Poland, Durham, Sabattas, Lisbon.

Region # 19 Farmington: Eustis, Coplin Plt., Lincoln Plt., Magalloway Plt., Carrabassett Valley, Rangeley, Dallas Plt., Rangeley Plt., Sandy River Plt., Madrid Twp.,

Salem Twp., Kingfield, Phillips, Weld, Avon, Temple, Strong, New Vineyard, Industry, New Sharon, Farmington, Wilton, Chesterville, Vienna, Jay, Livermore, Livermore Falls.

Region # 20 Rumford: Upton, Byron, Andover, Carthage, Roxbury, Riley Twp., Gilead, Newry, Rumford, Mexico, Dixfield, Peru, Canton, Hanover, Milton Twp., Bethel, Woodstock, Mason Twp., Albany Twp., Greenwood.

Region #21 Oxford: Hartford, Sumner, Buckfield, Hebron, West Paris, Norway, Waterford, Paris, Harrison, Otisfield, Oxford.

Region # 22 Bridgton: Stoneham, Stow, Lovell, Fryeburg, Sweden, Bridgton, Brownfield, Denmark, Porter, Hiram, Naples, Casco, Raymond, Baldwin, Parsonfield, Cornish, Sebago.

Region # 23 Portland: New Gloucester, Pownal, Gray, North Yarmouth, Cumberland, Falmouth, Portland, South Portland, Cape Elizabeth, Long Island, Yarmouth, Chebeague Island.

Region # 24 Westbrook: Standish, Windham, Limington, Westbrook, Gorham, Buxton, Hollis, Scarborough, Frye Island.

Region # 25 Biddeford: Saco, Old Orchard Beach, Dayton, Arundel, Biddeford, Kennebunk, Kennebunkport.

Region # 26 Sanford: Newfield, Limerick, Waterboro, Acton, Shapleigh, Alfred, Lyman, Lebanon, Sanford, Berwick, North Berwick, South Berwick, Wells, Oquonquit, York, Eliot, Kittery.

Sec. MM-6. 20-A MRSA §1104 is enacted to read:

§1104. Transition

1. Schedule. During the transition year, school administrative units within each of the regions designated in section 1103 shall collaborate, with assistance from the Department, in order to organize as regional learning communities in accordance with this chapter. During the transition year and by the beginning of the implementation year, each regional learning communities shall become operational as a school administrative unit on the date set by the state board as provided in section 1253 but no later than July 1, 2008.

2. Department assistance. To implement the requirements of this chapter, the department must provide the following financial and technical assistance to school administrative units for the duration of both the transition year and the implementation year:

A. An amount for the cost of one principal for every school in the region, which cost will be recognized as no less than one full-time position under Chapter 606-B;

B. A transition team made up of legal, financial, and educational programming consultants that will be assigned to each region to assist regional staff with transition and implementation; and

c. monthly professional development opportunities to participate in collaborative learning sessions with the other regions and the department, on topics related to the transition to and implementation of the regional model, and on standards-based programming, uses of data for improved student achievement, and other topics identified by the superintendents.

3. Use of existing school and facilities. A regional learning community may, at the discretion of the regional school board and in a manner that is consistent with this Title, continue to operate schools and facilities that were in operation prior to the operational date established under subsection 1.

Sec. MM-7. 20-A MRSA §1201 as enacted by PL 1981, c. 693, §5 and §8 is repealed.

Sec. MM-8. 20-A MRSA §1202 as amended by PL 1993, c. 608, is repealed.

Sec. MM-9. 20-A MRSA §1203 as enacted by PL 1981, c. 693, §5 and §8 is repealed.

Sec. MM-10. 20-A MRSA §1204 as enacted by PL 1981, c. 693, §5 and §8 is amended to read:

§1204. Transfer of property and assets

The transfer of school property and assets shall be as follows.

1. Board of directors. ~~The directors of a school administrative district~~ the board of each regional learning community established in section 1103 shall determine what school property of the municipalities, Child Development Services regional intermediate educational units, career and technical education regions, and former school administrative units in their district their regions are necessary to carry out the functions of their district and:

A. Request in writing that the ~~school board of each school administrative unit,~~ Child Development Services regional site, and career and technical education region or the municipal officers transfer title of their school property and buildings to the regional board ~~school administrative district;~~ or

~~B. Assume all the duties and liabilities under lease agreements with the Maine School Building Authority if the title is held by the authority.~~

2. Transfer. ~~The school board~~ boards listed in subsection 1(A) or municipal officers shall make the transfer notwithstanding any other provision in the charter of the school administrative unit or municipality, or the law governing the Child Development Services regional sites or the career and technical education regions or other provision of

law.

3. ~~Maine School Building Authority.~~ The Maine School Building Authority, on the completion of all rental payments and other conditions in the lease, shall transfer the title to the school administrative district regional board of the regional learning community notwithstanding any provision in the lease or other provision of the law.

4. Financing assumed debts. If a school administrative district regional board has assumed the outstanding indebtedness of a former school administrative unit or career and technical region in its region: ~~A. The~~ the directors of the school administrative district regional board may, notwithstanding any other statute or any provision of any trust agreement, use any sinking fund or other money set aside by the school administrative unit or career and technical region to pay off the indebtedness for which the money was dedicated; A regional board is not required to assume the outstanding indebtedness of a school administrative unit or career and technical education region in its region.

~~B. The municipality within a school administrative district may, by vote of its voters, raise, appropriate and transfer money to the school administrative district solely for school construction purposes; and~~

~~C. A municipality, within a proposed school administrative district that has applied to the state board, may, by vote of its voters, raise and appropriate money for school construction purposes to be transferred to the proposed school administrative district, if and when the district takes over the operation of the public school within its jurisdiction.~~

~~The municipality may only withdraw this appropriation:~~

~~(1) If the formation of the district fails to be approved by the municipalities within the district or by the state board; or~~

~~(2) If 9 months or more after the original vote, the electorate of the town vote to withdraw the appropriation.~~

Sec. MM-11. 20-A MRSA §1205 as amended by PL 1983, c. 480, § A16 is further amended to read:

§1205. Operational date and transfer of authority

The operational date and transfer of authority of a school administrative district to a regional learning community board shall be as follows.

1. Operational date. A school administrative district regional learning community board shall become operative on the date set by the state board as provided in section 1253.

2. Transfer of governing authority. The regional school board directors shall, on the date established in subsection 1, assume responsibility for the management and

control of the public schools and programs within the former school administrative units , Child Development Services regional sites, and career and technical regions within the ~~district~~ region and these former school administrative units, Child Development Services regional sites and career and technical education regions on that date have no further responsibility for the operation or control of the public schools and programs within the ~~district~~ region.

3. Transfer of school accounts. Notwithstanding section 15004 or any charter of a community school district or coterminous district, or any laws governing the Child Development Services regional sites or the career and technical regions, the balance remaining in the school accounts of the municipalities, community school district or coterminous school districts within the ~~school administrative district~~ region shall be paid to the treasurer of the ~~district~~ regional learning community in equal monthly installments over the remainder of the fiscal year in which the ~~district~~ regional learning community is formed.

4. Teacher contracts. The contracts between the municipalities or the career and technical regions within the ~~district~~ region and all teachers shall automatically be assigned to the school administrative ~~district~~ regional board as of the date the ~~district~~ regional learning community becomes operative and shall remain in effect until the end of the implementation year, June 30, 2009, unless otherwise negotiated by the teachers and the regional learning community. The ~~district~~ regional learning community shall assign teachers to their duties and make payments upon their contracts.

5. Superintendent contracts. The contracts between the superintendents and municipalities within the ~~district~~ region shall be transferred to the ~~school administrative district~~ regional learning communities. The regional board of directors shall determine the superintendents' duties within the ~~district~~ region and pay that proportion of the salaries paid for by the former school administrative units in the district.

Sec. MM-12. 20-A MRSA §1206 as enacted by PL 1981, c. 693, §5 and §8 is amended to read:

§1206. Application of general law

Schools operated by the legally established ~~school administrative districts~~ regional learning communities established in section 1103 shall be the official schools of the participating municipalities. The provisions of general law relating to public education shall apply to these schools. State funds for public schools; and for programs for children with disabilities age birth to under age six, and for career and technical education shall be paid directly to the treasurer of the regional learning community ~~school administrative district~~

Sec. MM-13. 20-A MRSA chapter 103, sub-chapter 3, is amended to read:

Subchapter 3: SCHOOL DIRECTORS

§1251. Board of directors

Provisions for a regional learning community board of directors shall be as follows.

1. Size. The size shall be determined by ~~the~~ a joint meeting of all the municipalities within the region as established in section 1103 under section 1203 or by the reapportionment committee under section 1255, but shall not be less than 5 or more than 15. It shall include at least one director from each municipality or subdistrict.

2. Term of office. In municipalities with annual elections, directors shall serve a 3-year term. In municipalities with biennial elections, directors shall serve a 4-year term. A director shall serve until a successor is elected and qualified.

3. Terms of office under ~~district~~ regional learning community formation. The newly elected directors under a ~~district~~ regional learning community formation or reapportionment plan shall meet and draw lots for the length of term specified as follows.

A. In municipalities with annual elections, 1/3 of the directors shall serve one-year terms, 1/3 shall serve 2-year terms and 1/3 shall serve 3-year terms. If the number of directors is not evenly divisible by 3, the first remaining director shall serve a 3-year term and the 2nd a 2-year term.

B. In municipalities with biennial elections, 1/2 of the directors shall serve a 4-year term and 1/2 a 2-year term. If the number of directors is not divisible by 2, the remaining director shall serve a 4-year term.

C. The directors shall serve their terms as determined at the organizational meeting and an additional period until the next regular election of the municipalities. Thereafter, the directors' terms of office shall be established in accordance with the provisions of section 1003.

4. Compensation. Compensation for attendance at a regional school board meeting shall be between \$10 and \$25 per meeting. Whenever the directors recommend to increase their compensation, they shall submit their recommendation to the ~~district~~ voters in the region for approval.

A. On notification by the regional school board, the municipal officers shall, at the next regular or special town meeting or city election, prepare a warrant or ballot for the purpose of voting on the proposed increase. The question shall be in the following form.

“Should the ~~School Administrative District No.~~ regional board of directors be paid compensation at the rate of \$ for each meeting which each director attends?”

B. No increase in compensation is effective unless approved by a majority of the voters voting on the question.

5. Secretary and treasurer. The superintendent shall serve as secretary and treasurer of the regional school board and shall give a bond to the regional school board ~~district~~ of a sum and with the sureties as the regional school board shall determine. The bond shall be deposited with the chairman. The expense of that bond shall be paid by the regional learning community ~~district~~. The bond premium, compensation paid directors for attendance at meetings and expenses of the ~~district~~ regional learning community shall be paid from funds of the ~~district~~ regional learning community by the treasurer on vouchers presented and certified by the superintendent and approved by a majority of the regional

school board or a finance committee duly elected annually by that board.

6. Oath of office. Before their first meeting, newly elected directors must take the following oath or affirmation before a dedimus justice or notary public.

"I do swear that I will faithfully discharge to the best of my abilities the duties ~~encumbent~~ incumbent on me as a regional school director of ~~School Administrative District~~ Region No..... according to the Constitution and laws of this State. So help me God."

A. A director shall take the oath or affirmation and return a certificate documenting that the oath has been taken to the secretary of the ~~district~~ regional learning community to place in the ~~district~~ regional learning community board records.

B. If a director is conscientiously scrupulous of taking an oath, the word "affirm" may be used instead of "swear" and the words "this I do under the pains and penalty of perjury" instead of the words "so help me God."

7. Election of officers. The board of directors shall elect a chairman and vice-chairman and other officers as may be necessary.

§1252. Methods of representation

The following are methods of representation.

1. Method A: Subdistrict representation. Directors shall represent subdistricts.

A. The subdistricts, as far as practicable, shall be whole municipalities. If the municipalities are divided into subdistricts, then they shall be divided into subdistricts of approximately equal size as determined by the latest Federal Decennial Census or Federal Estimated Census. The municipal officers shall provide a separate voting place for each subdistrict of the municipality

B. The boundaries of each subdistrict shall be determined by a majority vote of the joint meeting or reapportionment committee. Each subdistrict shall have one director, except that in a municipality comprised of 2 or more subdistricts, the joint meeting may authorize the election of directors-at-large.

2. Method B: Weighted votes. Directors shall cast weighted votes.

A. The committee shall apportion 1,000 votes among all the members of the board. The ratio of the number of votes cast by the directors representing a municipality in relation to the number 1,000 shall be the same ratio to the nearest whole number as the population of the municipality is in relation to the population of all municipalities in the district, as determined by the latest Federal Decennial Census or Federal Estimated Census.

B. To assure the use of whole numbers, the 1,000 votes apportioned among the board members may be increased or decreased by not more than 5 votes.

C. A plan may not permit the voting power of any director to exceed by more than 2% the percentage of voting power the director would have if all 1,000 votes were

apportioned equally among the directors.

D. In a municipality served by 2 or more directors, the votes cast by them shall be divided equally among them. The directors shall be elected at large within the municipality unless otherwise provided by municipal charter.

3. Method C: At-large voting. Directors shall be elected at large by all of the voters in the region~~district~~.

4. Method D: Other. Directors may be elected by any other method that meets the requirements of the one-man, one-vote principle that is not included in Methods A, B or C.

§1253. Election

For the purpose of nominations, regional school directors shall be considered municipal officials and shall be nominated in accordance with Title 30-A, chapter 121, or with a municipal charter, whichever is applicable.

1. Initial meeting on ~~district~~ regional learning community formation. On the election of the regional school directors, the clerk of each municipality within the ~~school administrative district~~ region shall forward the names and addresses of the directors elected for that municipality to the state board with other data with regard to their election as the state board may require. On receipt of the names and addresses of all of the directors, the state board shall set a time, place and date for the first meeting of the directors and give notice to the directors in ~~the manner set forth in section 1202, subsection 3, paragraph A~~ writing, sent by registered or certified mail, return receipt requested, to the addresses provided by the municipalities .

2. Special provisions. In the election for representation under the methods provided in section 1252 the following shall apply.

A. Under Method A:

(1) Within 60 days, but no earlier than 45 days after notification by the board of directors of the approval or reapportionment plan, the municipal officers shall call a special election to elect directors to serve under the plan for the regional learning community ~~school administrative district~~;

(2) Nomination papers must be furnished by the secretary of the ~~district~~ regional learning community at least 10 days before the deadline for filing of nomination papers. Notwithstanding any other section of this Title, directors must be nominated by obtaining a minimum of 25 and a maximum of 50 signatures of registered voters residing within the subdistrict. The secretary shall notify the municipal officers of the names of candidates in each subdistrict;

(3) The ballots must be prepared in accordance with subparagraph (7);

(4) The clerks of each municipality shall forward to the secretary the results of the vote by subdistrict;

(5) The board of directors shall meet and total the votes cast for each candidate within each subdistrict and shall immediately notify the clerks in each

municipality, the candidates and the commissioner of the results of the vote;

(6) The terms of the directors elected under the original municipal representation system cease on the date that the newly elected directors are sworn into office; and

(7) Notwithstanding any other provision of statute, directors must be elected by secret ballot. The ballots must be prepared for and distributed to the municipalities or subdistricts by the secretary of the regional learning community ~~district~~.

A-1. Under Method B:

(1) Reductions in the number of directors must take place in accordance with section 1255, subsection 1, paragraph B;

(2) Additional directors must be added in accordance with section 1255, subsection 1, paragraph C; and

(3) The term of office of additional directors must be determined in accordance with section 1251, subsection 3.

B. Under Method C:

(1) Nominations for directors shall be made on petitions provided by the ~~district~~ regional learning community secretary. The petitions shall be signed as provided in Title 30-A, section 2528, subsection 4, or if the candidate is a voting resident in a municipality having less than 200 population, signed by at least 20% of the registered voters of that municipality;

(2) The petitions shall be submitted to the registrar of voters in the respective municipalities for certification of the voting residence of the director nominated and of the voters signing the petition;

(3) The registrar of voters shall return the certified petitions to the ~~district~~ regional learning community secretary not later than 30 days prior to the date of the annual election to be held in the municipality;

(4) The ballot shall be prepared and distributed by the ~~district~~ regional learning community secretary. It shall give the number of offices to be filled and list the candidates by municipalities or subdistricts in which they are resident;

(5) Notwithstanding any other provision of law, regional school ~~school~~ directors shall be elected by secret ballot;

(6) If all member municipalities do not conduct the election for directors on the same date, then all ballots cast in the elections shall be impounded by the clerk of each municipality:

(a) After all municipalities have voted, the clerks and one or more election supervisors designated by the municipal officers of each municipality shall meet at an agreed upon location and tally the ballot;

(b) The tally shall be completed within one day of the last member municipality election;

(c) The election supervisors shall select from among their members a

chairman who shall supervise the tally of ballots; and

(d) The clerk of each municipality shall as promptly as possible after the election certify to the regional board of directors the result of the voting in that municipality; and

(7) Any recount petitions shall be filed with the secretary of the regional board of directors and recounts shall be conducted in each member municipality in accordance with the applicable laws.

§1254. Vacancies

Declaration and filling of vacancies shall be as follows.

1. Definition of vacancy. A vacancy occurs:

- A. When the term of the office of a regional school board director expires;
- B. When a regional school board director changes residency from the municipality or subdistrict from which elected. Evidence that an individual is registered to vote in a municipality is prima facie evidence of that individual's residency;
- C. On the death of a regional school board director;
- D. When a regional school board director resigns; or
- E. Except in municipalities having a municipal charter, when a director is absent without excuse from 3 consecutive regular board meetings, the board may declare that a vacancy exists

2. School board. The board of directors shall notify the municipal officers of the municipalities within the ~~district~~ region before the annual town meeting or before the regular city election of the vacancy.

3. Filling vacancies. Vacancies shall be filled as follows.

- A. The municipal officers of the municipality in which the director resided shall select an interim director for the municipality or subdistrict to serve until the next annual municipal election. The interim director shall serve until a successor is elected and qualified.
- B. The municipal officers shall provide at the next municipal or subdistrict election for the election of a director to fill the vacancy.

§1255. Reapportionment

The commissioner shall determine the necessity for reapportionment.

1. Duties of commissioner. The commissioner shall determine if a ~~district~~ region is apportioned in accordance with the principles of one person, one vote, if:

- A. The commissioner receives a request by the regional board of directors;
- B. The commissioner receives a petition signed by ~~district~~ regional voters equal to at least 10% of the voters who voted in the last gubernatorial election in the region

~~district~~; or

C. The commissioner determines a region ~~district~~ is not apportioned according to the principles of one person, one vote.

The commissioner shall make a determination under paragraph A or B within 30 days of receiving the request or the petition.

2. Awaiting census results. If the commissioner receives a request within 12 months before a Federal Decennial Census or Federal Estimated Census, he may wait until after the new census figures are available to make a determination.

3. Findings and order. If the commissioner finds the ~~district's~~ region's representation is not apportioned in accordance with the principle of one person, one vote, the commissioner shall, within 7 days of that decision, notify the superintendent of the finding and shall order the superintendent to notify the municipal officers in each municipality in the ~~district~~ region and the regional school board to create a reapportionment committee. The superintendent's notification must include the commissioner's notification, the information provided pursuant to subsection 6 and the time and place for the first meeting of the committee, which must be held not later than 20 days after the notification.

4. Reapportionment committee membership. The reapportionment committee shall consist of one municipal officer and one citizen at large from each member municipality, chosen by the municipal officers, and one director from each municipality, chosen by the board of directors. The appointments shall be made prior to the first meeting of the committee.

5. Quorum. A majority of the committee shall be a quorum.

6. Duties of commissioner. The commissioner shall provide the superintendent with the most recent Federal Decennial Census or Federal Estimated Census figures for each municipality in the ~~district~~ region and at least one recommended apportionment plan.

7. Duties of the reapportionment committee. The committee shall:

- A. Elect a chairman and secretary and may adopt suitable rules of procedure;
- B. Consider and by majority vote adopt a plan including the method of representation, total number of directors and number of directors representing each municipality or subdistrict; and
- C. Within 90 days of the first meeting, send a report of their plan to the state board for approval. It may, within the 90-day limit, submit alternative plans for apportionment.

8. Commissioner approval. The commissioner shall approve or disapprove the committee plan within 30 days of receiving it.

9. Failure to gain commissioner approval. If a plan has not been adopted by the committee or approved by the commissioner within the time limits, he shall prepare a

suitable plan.

10. Putting the approved plan into effect. On approval of a plan, the commissioner shall send a certified copy to the municipal officers and regional school directors. The original plan shall be retained in the department files.

A. The approved plan shall be effective immediately. The committee shall determine the terms of the directors who shall be elected at the next annual municipal elections so as to comply with section 1253.

B. If the approved plan requires a reduction of the number of directors to be elected in a municipality, the reduction must be achieved in accordance with this paragraph.

(1) If possible, the reduction must be achieved by the voluntary resignation of one or more of the directors.

(2) If the reduction can not be achieved in accordance with subparagraph (1) and the plan is approved and filed less than 30 days prior to the annual municipal election, the number of open positions to be filled by the election process must be reduced to the number required by the approved plan.

(3) If the reduction can not be achieved in accordance with subparagraph (1) or (2), or a combination of the 2, all of the remaining existing directors representing the municipality shall choose by lot which directors' terms must terminate.

C. If the approved plan requires that additional directors be elected in a municipality, the municipal officers shall fill the vacancies by appointment. A new director shall serve until a successor is elected and qualified at the next annual municipal election.

D. [1993, c. 435, §3 (rp).]

E. The reapportionment committee shall thereupon be dissolved.

11. Duties of present directors during reapportionment. The regional board of directors, during the reapportionment of its membership, shall serve as legal representatives of the regional learning community district until the reapportionment is completed. The board shall carry out all business of the regional learning community district, including the borrowing of necessary funds which may be required during the period of reapportionment.

12. State board review of commissioner's decisions. A ~~school administrative district~~ regional learning community board or interested parties may request that the state board reconsider decisions made by the commissioner in this section. The state board shall have the authority to overturn a decision made by the commissioner. In exercising this power, the state board is limited by this section.

13. Rules. The state board may adopt rules to carry out this section.

§1256. Powers and duties

The regional board of directors:

1. School district name. May select an unofficial name for the regional learning

community district;

2. Finance committee. May elect a finance committee of 3 or more members who must be directors;

3. Operating schools. May authorize and oversee the operation of elementary schools;

4. Purchase of land outside the district. May purchase land outside of the geographical limits of the ~~district~~ region and erect a school on it if, because of the location of other schools within the school-~~district~~ region or transportation difficulties, a school within the ~~district~~ region would not be in the best interests of the regional learning community district;

5. Bylaws. Shall adopt bylaws for the regulation of the affairs of the board and the conduct of its business;

6. [1983, c. 422, §3 (rp).]

7. Gifts. May accept and receive money or other property, outright or in trust, for any specified benevolent or educational purpose. The board shall comply with the following in accepting gifts.

A. If the board receives written notice from a prospective donor or a representative of the donor, of a proposed gift, they shall submit the matter to the next regular meeting of the board or shall call a special meeting. The board shall, within 10 days after the meeting, send written notice of its acceptance or rejection.

B. If the gift is in trust, the board shall cause the trust funds to be deposited or invested according to Title 30-A, chapter 223, subchapter III-A.

(1) Unless prohibited by a trust instrument, the regional learning community district may treat any 2 or more trust funds as a single fund for the purposes of investment.

(2) After deduction for management expenses, any interest earned or capital gains realized must be prorated among the various trust funds.

(3) Property or securities included in the corpus of a trust fund must be retained where the trust instrument so provides.

(4) Unless otherwise specified in the trust instrument, only the annual income from the trust fund may be spent.

(5) If the ~~district~~ regional learning community fails to comply with the terms of the trust instrument, the trust fund reverts to the donor or the donor's heirs.

C. If the money or other property is a conditional gift for any specified benevolent or educational purpose, the following shall apply.

(1) Prior to the acceptance of a gift the board of directors shall obtain approval of the legislative body of the regional learning community school administrative district.

(2) When the donor's part of the agreement respecting the execution of the conditional gift has been completed, the regional learning community ~~district~~ shall perpetually comply with, and may raise money to carry into effect, the conditions upon which it was made.

(3) Unless otherwise specified by its terms, a conditional gift of money shall be deposited or invested according to Title 30-A, chapter 223, subchapter III-A.

§1257. Quorum

At least a majority of the board of directors in number and voting power shall be a quorum.

§1258. Program

~~A school administrative district~~ regional learning community shall maintain a program which includes kindergarten to grade 12.

1. Secondary school. ~~A district~~ regional learning community shall provide a secondary school facility as follows.

A. ~~A district~~ regional learning community which enrolls more than 700 pupils in grades 9 to 12 may operate more than one 4-year school.

~~B. A district which enrolls less than 700 pupils in grades 9 to 12 shall provide grades 10 to 12 in one facility within 4 years from the date of the district's formation. [1981, c. 693, § 5, 8 (new).]~~

C. Secondary school facilities may be operated as 4-year schools, a 6-year school for grades 7 to 12 or 2 or more 3-year schools, except that students living in an area remote from a public school may be provided for under section 5204.

2. Contracts for secondary school programs. In addition to the provisions for a secondary school facility set forth in subsection 1, a ~~district~~ regional learning community may contract with a nearby ~~school administrative unit~~ regional learning community or with a private school approved for tuition purposes for all or part of its secondary school pupils. The contract may run from a period of 2 to 10 years. The contract shall also comply with section 2703 and may provide for the formation of a joint committee in accordance with section 2704.

Sec. MM-14. 20-A MRSA c. 103, subchapter 4, is amended to read:

Subchapter 4: FINANCING

§1301. Finances

~~A school administrative district~~ regional learning community may raise money for establishing and maintaining public schools, erecting buildings and providing equipment.

1. Methods of sharing costs. The costs of operating a ~~school administrative district~~ regional learning community must be shared among all municipalities within the ~~district~~ region in one of the following ways.

A. Under a property valuation method, municipalities in a ~~district~~ region shall share costs in the same proportion as each municipality's fiscal capacity as defined in section 15672, subsection 23 is to the ~~district's~~ region's fiscal capacity

B. Under an alternate plan approved by the state board and by a vote of the legislative bodies of the ~~school administrative units~~ municipalities forming the ~~district~~ regional learning community and based on:

- (1) The number of resident pupils in each town;
- (2) The fiscal capacity of each member municipality as defined in section 15672, subsection 23;
- (3) Any combination of subparagraphs (1) and (2); or
- (4) Any other factor or combination of factors that may, but need not, include subparagraphs (1) and (2).

D. Notwithstanding paragraphs A and B, Title 30-A, chapter 208-A or any other provision of law, the state valuation used to calculate the shared cost for each municipality in a ~~district~~ region with a municipal incentive development zone must include the increase in equalized just value of all industrial and commercial property located in the zone over the assessed value

2. Residents on federal property or state property. For the purposes of this chapter only, a ~~district-regional~~ learning community shall count students residing on land under the control of the Federal Government, on a federal military reservation, or on state property, as residents of the ~~district~~ region but not as residents of a municipality.

3. Amendment of cost-sharing formulas. The cost-sharing formula may be amended as follows.

A. If requested by a written petition of at least 10% of the number of voters voting in the last gubernatorial election within the region ~~district~~, or if approved by a majority of the full regional board of directors, the regional board of directors shall hold at least one meeting of municipal representatives to reconsider the method of sharing costs. The ~~district~~ regional learning community shall give at least 15 days' notice to each municipality comprising the region ~~district~~ of any meeting.

B. Each member municipality must be represented at the meeting or meetings by 2 representatives chosen at large by its municipal officers, and one member of the regional ~~district~~ board of directors chosen by the municipality's directors.

B-1. Prior to the first meeting of municipal representatives pursuant to paragraph A, the regional learning community ~~district~~ shall engage the services of a facilitator selected from the list maintained by the commissioner under subsection 4, paragraph C, subparagraph 1. The facilitator shall:

- (1) At the first meeting, review and present data and information pertaining to sharing of costs within the region ~~district~~. Pertinent information may include, but is not limited to, the following:
 - (a) A description of the region's ~~district's~~ cost-sharing method, the elements involved in the calculation of each municipality's costs and a graphic

depiction of the current and historic distribution of costs in the region
~~district~~; and

(b) If withdrawal of one or more regional learning community ~~district~~
members is under consideration, the financial and educational impact of the
withdrawal;

(2) Solicit and prepare a balanced summary of the concerns of municipal
officials, educators and the public about the current method of cost sharing; and

(3) Develop a plan of action for consideration by the municipal representatives
that responds to the information collected and the concerns raised. The plan of
action must include a list of expectations for the conduct of the parties, options
for proceeding and an assessment of the likely success of those options.

C. A change in the method of sharing costs may only be approved by a majority vote
of the municipal representatives present and voting.

C-1. If a majority of the representatives from each municipality meeting pursuant to
paragraph A are unable to agree on a recommendation on what the cost-sharing
method for the region ~~district~~ should be, within 15 days following the last meeting a
knowledgeable 3rd party must be selected in accordance with rules adopted pursuant
to subsection 4, paragraph C. The regional learning community ~~district~~ is responsible
for compensating the 3rd party. The 3rd party shall:

(1) Prepare a written summary of the process to date, including an assessment of
the fairness, accuracy and responsiveness of the recommendations of the
facilitator engaged pursuant to paragraph B-1;

(2) Prepare an impartial recommendation regarding changing the method of cost
sharing; and

(3) Present the summary and recommendations to the municipal representatives
for their consideration.

C-2. At an advertised public hearing, the municipal representatives shall solicit
public input on the 3rd party's recommendation for cost sharing required under
paragraph C-1 and any alternative method or methods proposed by municipal
representatives.

D. If a change in the cost-sharing method is approved by a majority of the municipal
representatives meeting pursuant to paragraph A, the change must be submitted to the
voters at a regional ~~district~~ meeting. It becomes effective when approved by a
majority vote of the region ~~district~~ in a regional ~~district~~ referendum called and held
for this purpose in accordance with sections 1351 to 1354, except that, if the
proposed change is an alternative cost-sharing plan under subsection 1, paragraph B,
subparagraph 4, the change must be approved by a majority of voters voting in a
referendum in each municipality in the region ~~district~~ instead of in a regional ~~district~~
referendum.

E. Assessments made by the regional school board thereafter must be made in
accordance with the new method of sharing costs.

F. The secretary of the ~~district~~ regional learning community shall notify the state

board that the regional learning community ~~district~~ has voted to change its method of sharing costs. The state board shall issue an amended certificate of organization showing this new method of sharing costs

4. Departmental assistance. The department shall provide the following services relating to changing ~~district~~ regional cost-sharing methods:

A. The provision of information and data relating to cost sharing, including, but not limited to, a description of a ~~district's~~ region's method of cost sharing, the total assessment, the per pupil cost and mills raised for education for ~~district~~ regional learning community members and the calculation of member costs. The information must be region ~~district~~-specific, comprehensive, easily understood by the general public, presented in graphic and spreadsheet format and available over the Internet. Written copies of the information described and additional information requested must be provided by the department upon receipt of a written request from a ~~district~~ regional school board or the legislative body of any municipality member of a regional learning community ~~district~~;

B. The provision of professional evaluation and assistance to regions ~~districts~~ and member municipalities considering changes in cost-sharing methods; and

C. The establishment and maintenance of lists of qualified, available individuals to assist regions ~~districts~~ considering changes in cost-sharing methods as follows:

(1) Facilitators as required in subsection 3, paragraph B-1; and

(2) Knowledgeable 3rd parties as required in subsection 3, paragraph C-1.

In establishing the lists, the department shall seek input from the Maine Municipal Association and Maine School Management Association or successor organizations. The department may adopt rules to define the qualifications, responsibilities and selection of individuals on the lists. Rules adopted pursuant to this paragraph are routine technical rules as defined in Title 5, chapter 375, subchapter II-A.

Sec. MM-15. 20-A MRSA §1302 as enacted by PL 1981, c. 693, §5 and §8 is amended to read:

§1302. Budget preparation

The ~~district~~ or regional learning community budget shall be prepared as follows.

1. Preparation by board. The board of directors shall annually prepare a budget for:

A. Operational costs;

B. Bonds falling due;

C. Interest on bonds or other obligations;

D. Rentals and other charges in a contract; and

E. For budgets prepared on or before June 30, 2008, a ~~A~~ lease or agreement with the Maine School Building Authority; and

F. Temporary loans.

2. Distribution. At least 7 days before the district or regional learning community budget meeting, the board of directors shall make available to the legislative body responsible for final budget approval and residents of the district or regional learning community, a detailed budget document. It shall include a summary of anticipated revenues and estimated school expenditures.

Sec. MM-16. 20-A MRSA §1303 as amended by PL 1999, c. 81, §1 is further amended to read:

§1303. Budget meeting

The school board shall hold a district budget meeting at a time it determines. This section is repealed June 30, 2008.

1. Warrant. The budget meeting shall be called by a warrant. The warrant shall:

- A. Be signed by a majority of the board of directors;
- B. Specify the time and place of the meeting;
- C. Include the proposed school budget and other articles the school board chooses to place before the voters, excluding authorization to borrow money for school construction purposes unless the alternate voting procedures of section 1305 are employed;
- D. Specify the state and local shares of the state-local allocation and local leeway and additional expenditures without state participation; and
- E. Be directed to a resident of the district by name ordering the resident to notify all voters within the district to assemble at the time and place appointed.

2. Notice. An attested copy of the warrant shall be posted by the person to whom it is directed in some conspicuous public place in each of the municipalities within the district at least 7 days before the meeting. The person who gives notice of the meeting shall make a return of the posting on the warrant stating the manner of notice in each municipality and the time when it was given.

3. Requested articles. If requested by a written petition of at least 10% of the number of voters voting for the gubernatorial candidates in the last gubernatorial election in each municipality within the district, the board of directors shall place specific articles, not in conflict with existing state statutes, in the warrants for consideration at the next annual district budget meeting. To be included in the warrant a petition shall be received by the board of directors at least 15 days before the date set for the budget meeting. When placed on the warrant, the articles shall be considered before action relating to the appropriation of money for the operation of schools.

Sec. MM-17. 20-A MRSA §1303-A is enacted to read:

§1303-A. School budget; budget formats

1. Content. Effective July 1, 2008, a school administrative unit shall include in its school budget document:

A. The school administrative unit's total cost of funding public education from kindergarten to grade 12, its non-state-funded debt service, if any, and any additional expenditures authorized by law;

B. A summary of anticipated revenues and estimated school expenditures for the fiscal year; and

C. The following statement, including the estimated dollar amount of state retirement payments: "This budget does not include the estimated amount of \$..... in employer share of teacher retirement costs that is paid directly by the State."

Sec. MM-18. 20-A MRSA §1304 as amended by PL 1999, c. 710, §2 is further amended to read:

§1304. Meeting procedures

The following procedures below shall be used at a district meeting. This section is repealed effective June 30, 2008.

Sec. MM-19. 20-A §1304-A is enacted to read:

§1304-A. Actions on budget

Effective July 1, 2008, the following provisions apply to approving a school budget under this chapter.

1. Checklist required. Prior to a vote on articles dealing with school appropriations, the moderator of a regular or special school budget meeting shall require the clerk or secretary to make a checklist of the registered voters present. The number of voters listed on the checklist is conclusive evidence of the number present at the meeting.

Sec. MM-20. 20-A MRSA §1305-A as amended by PL 2005, c. 683, Part A, §21 is further amended to read:

§1305-A. Cost center summary ~~alternative~~ budget format

~~Notwithstanding section 1302, 1305, 1306, 1307 or 15693, after January 31, 2004~~After January 31, 2007, the format of the annual budget of a school administrative district regional learning community may shall be changed only in accordance with this section and section 1305-B.

1. Cost center summary budget format. ~~The school administrative district~~regional learning community budget must consist of the following cost centers and supporting data:

A. Expenditures:

- (1) Prekindergarten to grade 12 instruction;
- (2) Instructional support;
- (3) Leadership;
- (4) Operations;
- (5) Transportation; and
- (6) Other commitments;

B. Revenue sources:

- (1) Total education costs appropriated pursuant to section 15690, subsection 1;
- (2) Non-state-funded debt service costs approved pursuant to section 15690, subsection 2, if any; and
- (3) Additional local funds, if any, approved pursuant to section 15690, subsection 3, paragraph A or B;

C. A summary of total ~~school administrative district~~ regional learning community expenditures; and

D. Other optional local data showing the amount and percentage of changes proposed in the state allocation, the local share and the total ~~school administrative district~~ regional learning community budget and related information determined appropriate by the board of directors.

2. Budget warrant. The warrant articles presented to the legislative body of the ~~school administrative district~~ regional learning community for approval of the ~~school administrative district~~ regional learning community budget must correspond to the categories of the cost center summary budget described in subsection 1. In addition to expenditure and revenue cost center summary totals, the board of directors shall provide to voters a reasonably detailed breakdown for each major subcategory within each budget category. The department shall adopt routine technical rules pursuant to Title 5, chapter 375, subchapter II-A defining and establishing the content of those informational subcategories.

3. ~~Approval of cost center summary budget format.~~ ~~An article to establish the cost center summary budget format may be placed on a warrant for a referendum vote by either a majority vote of the board of directors or a written petition filed with the board of directors by at least 10% of the number of voters voting in the last gubernatorial election in the municipalities in the school administrative district. The board of directors shall place the article on the next scheduled warrant or an earlier one if determined appropriate by the board of directors. If adopted by the voters, the cost center summary budget format takes effect in the next budget year or in the following budget year if the approval occurs less than 90 days before the start of the next budget year. Once adopted by the voters, the cost center summary budget format may not be changed. In a school administrative district using the district budget meeting process provided in sections 1303 and 1304 or a budget format other than one established by the school administrative district voters under section 1306, the cost center summary budget format may be adopted and subsequently amended or repealed by majority vote of the board of directors.~~

4. Budget approval. A ~~school administrative district~~ regional learning community 's cost center summary budget must be approved at a ~~school administrative district budget meeting as provided in sections 1303 and 1304 or by a district~~ regional learning community budget meeting and budget validation referendum as provided in section 1305-B.

5. Transfer between budget cost center lines. During the year for which the budget is approved using the cost center summary budget format, the board of directors may transfer an amount not exceeding 5% of the total appropriation for any cost center to another cost center or among other cost centers without voter approval.

Sec. MM-21. 20-A MRSA §1305-B as amended by PL 2005, c. 683, Part A, §22 is further amended to read:

§1305-B. Budget validation referendum

~~Notwithstanding sections 1302, 1305, 1306, 1307 and 15693, after January 31, 2001 After January 31, 2007, the procedure for approval of the annual budget of a school administrative district regional learning community provided under sections 1304 and 1305 may be changed only shall be in accordance with this section and section 1305-A. The budget validation referendum process provided in this section may not be adopted for use in a school administrative district unless the cost center summary budget format provided in section 1305-A is also adopted. A school administrative district using the alternative voting procedures established in section 1305 may reconsider that use only if as part of that reconsideration the voters adopt use of the cost center summary budget format provided in section 1305-A or the cost center summary budget format and the budget validation referendum process provided in this section.~~

1. Budget validation. Following development of the annual ~~school administrative district~~ regional learning community budget and approval at a ~~district~~ regional learning community budget meeting as provided in section 1305-A, a referendum ~~may~~ must be held in the ~~school administrative district~~ regional learning community as provided in this section to allow the voters to validate or reject the total budget adopted at the ~~district~~ regional learning community budget meeting.

4. Budget validation referendum voting. The method of calling and voting at a budget validation referendum is as provided in sections 1352 and 1353, except as otherwise provided in this subsection or as is inconsistent with other requirements of this section.

A. A public hearing is not required before the vote.

B. The warrant for a ~~district~~ regional learning community budget meeting to be followed by a budget validation referendum may be a consolidated warrant covering both.

C. The warrant and absentee ballots must be delivered to the municipal clerk at least 7 days before the date of the ~~district~~ regional learning community budget meeting.

D. Absentee ballots received by the municipal clerk may not be processed or

counted unless received after the conclusion of the ~~district~~ regional learning community budget meeting and before the close of the polls.

E. All envelopes containing absentee ballots received before the conclusion of the ~~district~~ regional learning community budget meeting or after the close of the polls must be marked "rejected" by the municipal clerk.

F. The article to be voted on must be in one of the following forms.

(1) In ~~school administrative districts~~ regional learning communities that have not approved inclusion on the ballot of the advisory question described in subsection 3, the article must be substantially as follows.

"Shall the ~~School Administrative District~~ Regional Learning Community No. budget for the school year that was adopted at the district budget meeting on be approved?

Yes No"

(2) In ~~school administrative districts~~ regional learning communities that have approved the inclusion on the ballot of the advisory question described in subsection 3, the article must be substantially as follows.

"Shall the ~~School Administrative District~~ Regional Learning Community No. budget for the school year that was adopted at the district budget meeting on be approved?

Yes No"

The following is a nonbinding expression of opinion for the consideration of the ~~school administrative district~~ regional learning community board of directors.

"I find the budget adopted at the ~~district~~ regional learning community budget meeting to be:

Too high Too low"

5. Failure to approve budget. If the voters do not validate the budget approved in the ~~district~~ regional learning community budget meeting at the budget validation referendum vote, the board of directors shall hold another ~~district~~ regional learning community budget meeting in accordance with sections ~~1303~~ 1305-A and ~~1304~~ 1305-B at least 10 days after the referendum to vote on a budget approved by the board of directors. The budget approved at the ~~district~~ regional learning community budget meeting must be submitted to the voters for validation at referendum in accordance with this section. The process must be repeated until a budget is approved at a ~~district~~ regional learning community budget meeting and validated at referendum. If a budget is not approved and validated before July 1st of each year, section 1308 applies.

Sec. MM-22. 20-A MRSA §1308 as amended by PL 2005, c. 2, Part D, §7 is further amended to read:

§1308. Failure to pass budget

If a budget for the operating of the district or regional learning community is not approved prior to July 1st, the latest budget as submitted by the board of directors is automatically considered the budget for operational expenses for the ensuing year until a

final budget is approved, except that, when the school board delays the school budget meeting in accordance with section 15693, subsection 2, paragraph C, the operating budget must be approved within 30 days of the date the commissioner notifies the school board of the amount allocated to the school unit under section 15689-B or the latest budget submitted by the directors becomes the operating budget for the next school year.

Sec. MM-23. 20-A MRSA §1309 as amended by PL 1993, c. 372, §3 is further amended to read:

§1309. Special budget meeting

The school board may call a special budget meeting when it declares an emergency exists. The voters of the district or regional learning community may authorize the directors at a special district or regional learning community budget meeting to expend additional funds from the district or regional learning community 's undesignated fund balance or to pledge the credit of the district to obtain additional money for the operation of schools. A special budget meeting held prior to July 1, 2008 must be conducted in accordance with sections 1302 to 1307; a special budget meeting held on or after July 1, 2008 must be conducted in accordance with sections 1305-A and 1305-B. ~~The special budget meeting must be held in accordance with sections 1302 to 1307.~~

Sec. MM-24. 20-A MRSA §1310 as amended by PL 2003, c. 212, §1 is further amended to read:

§1310. District and Regional learning community assessments

District and regional learning community assessments shall follow these procedures.

1. Warrant. In accordance with the budget approved by the voters at an annual budget meeting and in substantially the same form as the warrant of the Treasurer of State for taxes, the board of directors shall issue its warrants to the assessors of each member municipality requiring them to assess upon the taxable estates within the municipality an amount which is that municipality's share of the district or regional learning community 's costs.

2. Commitment. The municipal assessors shall commit the assessment to the constable or collector. Constables and collectors shall have the authority and powers to collect the district or regional learning community 's taxes as is vested in them by law to collect state, county and municipal taxes.

3. Installments. The board of directors shall notify the member municipalities of the monthly installments that will become payable during the fiscal year.

4. Payment. A municipal treasurer shall pay the amount of the tax assessed in the fiscal year against the municipality to the treasurer of the district or regional learning community. The payments shall be paid in monthly installments on or before the 20th of each month.

5. Gifts. A municipality may use the proceeds from gifts or trust funds allocated for educational purposes to pay its share of the assessment.

6. Enforcement. If a municipal treasurer fails to pay the installment due, or any part, on the dates required, to initiate collection procedures, the treasurer of the school administrative district or regional learning community may notify the municipal treasurer of the failure to pay. Interest accrues on each unpaid installment at the rate established under Title 36, section 186 beginning on the 60th day after the date the installment is due under subsection 4. If payment of an installment is not made within 60 days after the due date, the treasurer of the district or regional learning community may initiate an action in Superior Court to compel payment of the delinquent installment. The court shall determine the amount owed by the municipality to the district or regional learning community and shall order the municipal treasurer to pay all delinquent installments, accrued interest and any court costs and reasonable attorney's fees incurred by the district or regional learning community. To ensure prompt payment of the delinquent installments, the court may require that amounts due to the municipality from the State under Title 30-A, section 5681 and Title 36, sections 578 and 685 be paid to the district or regional learning community until the amount determined by the court is satisfied. The court shall promptly notify the disbursing state agency of the determination and direct the agency to make the required change in payee and the amounts to be paid.

If additional funds are needed to satisfy the amount determined by the court to be paid to the district or regional learning community, the court may order the attachment or trustee process and sale of real or personal property owned by the municipality or the attachment of the municipality's bank accounts or require property tax payments to the municipality to be turned over to the court and may pay the amount owed the district or regional learning community from the proceeds and return any excess to the municipality.

Sec. MM-25. 20-A MRSA §1311 as amended by PL 2005, c. 2, Part D, §8 is further amended to read:

§1311. Power to borrow money

A school administrative district or regional learning community may borrow money as follows.

1. Board of directors. The board of directors may borrow money to pay for:

A. Current operating expenses of the district or regional learning community if the loans are repaid within 13 months of the date of borrowing and are limited to an amount reasonably required for current operating expenses;

B. School construction projects as defined in section 15901; and

C. Minor capital costs as defined in section 15672, subsection 20-A.

2. Voter approval. Bonds or notes for school construction purposes shall first be

approved by a majority of voters of the district or regional learning community voting at an election called by the board of directors and held as provided in sections 1351 to 1354, except as is otherwise provided in this section.

A. Each bond or note shall have inscribed upon its face the name of the district or regional learning community, the date it was issued, the amount of the bond or note and the annual interest rate, payable semiannually. Each bond or note shall be in the form and be sold in the manner, at public or private sale, as the board of directors shall determine in accordance with state law. Bonds may not be sold for less than par.

B. Notes or bonds issued by a district or regional learning community shall be signed by the treasurer or assistant superintendent and countersigned by the chairman of the board of directors of the district or regional learning community. If coupon bonds are issued, each coupon shall be attested by a facsimile signature of the treasurer.

C. Each issue of bonds shall mature in substantially equal annual installments so that the first installment shall be payable not later than 2 years and the last installment not later than 25 years after the date of issue.

3. Temporary notes. Prior to issuing authorized school construction bonds or notes, the board of directors may borrow in anticipation of their sale by issuing temporary notes and renewal notes subject to the following.

A. Their total face value amount may not exceed at any one time the authorized outstanding amount of the school construction bonds or notes.

B. If the proceeds of an issue of bonds are used in whole or in part to fund temporary notes, the period during which the issue of bonds shall be outstanding plus the period of the loan represented by the temporary notes or renewals shall not exceed 25 years.

C. Temporary notes shall mature not later than 3 years from the date the first temporary note is issued.

D. Temporary notes and renewal notes shall be legal obligations of the district or regional learning community.

E. The board of directors of a district or regional learning community which has received a certificate of approval of a school construction project pursuant to Title 20, section 3458 to be paid in accordance with the alternate method prescribed in Title 20, section 3460, may borrow in anticipation of unpaid portions of state aid and may issue temporary and renewal notes.

F. If the temporary or renewal notes in anticipation of state aid exceed the aggregate amount of state aid actually received by the district or regional learning community, the unexpended balance of those notes shall be used for the repayment. If an outstanding balance remains, it shall be included in the next annual budget and shall not be subject to change at the district or regional learning community budget meeting.

4. Early redemption. Bonds or notes issued on behalf of a district or regional learning community may be made subject to call for redemption, with or without premium, at the election of the board of directors before the date fixed for final payment of those bonds or notes. When these bonds or notes are issued, they shall contain

provisions setting forth the method by which the option to call may be exercised, the procedure for payment in the event of call and the legal effect of making the call.

5. District and Regional learning community status. Notes and bonds, and loans to pay current operating expenses; ~~and contracts, leases and agreements with the Maine School Building Authority,~~ shall be legal obligations of the district or regional learning community. The district or regional learning community shall be a quasi-municipal corporation within the meaning of Title 30-A, section 5701 and all the provisions of that section shall be applicable to them.

6. Debt limit. The aggregate principal amount of outstanding bonds or notes issued by a district or regional learning community for school construction purposes shall not exceed, at any one time, 10% of the total of the last preceding state valuation of all the municipalities within the district or regional learning community, plus an amount not to exceed 4% of that total district or regional learning community valuation set by the state board at the time of the initial approval of the school construction project.

A. Indebtedness in excess of 10% incurred under the law as it existed prior to April 1, 1974, is validated.

B. Outstanding school indebtedness assumed by the district or regional learning community shall be included in its limit of indebtedness, excluding ~~contracts, leases or agreements with the Maine School Building Authority~~ and notes in anticipation of state aid issued pursuant to subsection 3.

C. The percentage limit of the indebtedness for bonds or notes for school construction purposes authorized after April 27, 1967 shall be fixed as of the time of authorization by the voters or, if no district or regional learning community meeting is held to authorize those bonds or notes, upon the expiration of 35 days following passage of a resolution of the board of directors as described in subsection 7.

D. If the issuance of bonds or notes together with all outstanding indebtedness included within the district or regional learning community 's limit of indebtedness would cause the district or regional learning community 's indebtedness to exceed 10% of the total of the last preceding state valuation of all the municipalities within the district or regional learning community, the board of directors shall not issue those bonds or notes until they have received a certificate of approval pursuant to Title 20, section 3458.

E. If a certificate of approval indicates that the state board has authorized state aid to be paid in accordance with the alternate method prescribed by Title 20, section 3460, the total estimated amount of state aid payable on account of the school construction project described in the certificate of approval shall be treated as outstanding school indebtedness for the purpose of computing the borrowing capacity of the district or regional learning community to finance that project by issuing its bonds or notes. State aid shall be determined by applying the applicable percentage of state aid to the total estimated cost of the project, as set forth in the certificate of approval.

7. Bonds and notes under 1% of valuation. The board of directors may issue bonds or notes not to exceed 1% of the last preceding state valuation of all the

municipalities within the district or regional learning community:

A. By calling a district or regional learning community meeting to approve the issuance of those bonds or notes as provided in section 1304 or 1305-A, whichever is applicable; or

B. By passing a resolution to that effect, setting forth the amount of the proposed issue and the purposes for which the proceeds will be used and meeting the following requirements.

(1) The secretary of the board shall, within 5 days of the date of the passage of the resolution, cause attested copies of the resolution to be posted in 3 public and conspicuous places within each of the municipalities within the district or regional learning community. The secretary shall make a return of the posting stating its time and place. The return shall be kept with the records of the district or regional learning community and a copy of the return shall be mailed to each of the municipal officers of each municipality within the district or regional learning community.

(2) If, within 35 days of the date of the passage of the resolution, petitions with signatures of at least 10% of the residents in the district or regional learning community eligible to vote on the date that the resolution was adopted, are filed with the secretary requesting a vote of the district or regional learning community to approve or disapprove the issuance of the bonds or notes, the secretary shall immediately notify the board. They shall call an election for that purpose as set forth in sections 1351 to 1354.

(3) The board shall not authorize bonds or notes by resolution if the amount of the proposed issue, together with the amount of any other bonds or notes authorized solely by resolution and which are for the same purpose, exceeds 1% of the total of the last state valuation of all the participating municipalities.

Sec. MM-26. 20-A MRSA §1312 as amended by PL 1989, c. 132, §1 and §2 is further amended to read:

§1312. Reserve fund

School administrative districts and a regional learning community may establish a reserve fund as follows.

1. Establishment. A school administrative district or regional learning community may establish a reserve fund for school construction projects, financing the acquisition or reconstruction of a specific or type of capital improvement or financing the acquisition of a specific item or type of capital equipment by including a request in the district or regional learning community budget and receiving voter approval. The board of directors shall be the trustee of the reserve fund. The reserve fund shall be deposited or invested by the treasurer under the direction of the board.

2. Deposit or investment. All district or regional learning community funds,

including reserve funds and trust funds to the extent that the terms of the instrument or vote creating the fund do not prohibit, shall be deposited or invested by the treasurer under the direction of the board of directors according to the requirements for the deposit or investment of municipal funds contained in Title 30-A, chapter 223, subchapter III-A.

3. Expending moneys from reserve funds. The board of directors may expend the sum in the reserve fund when authorized to do so by a vote of the district or regional learning community at a district or regional learning community meeting or a ~~district~~ regional learning community budget meeting, when an article for that purpose is set out in the warrant calling the meeting.

Sec. MM-27. 20-A MRSA §1314 as amended by PL 1983, c. 806, §2 is amended further to read:

§1314. Bid procedure

The following shall apply to bids.

1. Written bids. Bids shall be in writing, sealed with outside envelope or wrapper plainly marked "Bid, not to be opened until (with appropriate date inserted)," and mailed to or filed with the superintendent of the unit.

2. Time of opening. A director or employee of the school administrative district or regional learning community may not open a bid until the appointed time.

3. Public opening. At the time and place stated in the public notice, and open to the public, all bids shall be opened by the superintendent or, in the superintendent's absence or disability, by any director designated for the purpose by the chairman of the board of directors.

4. Reading. If any citizens who are not school administrative district or regional learning community directors or employees, or if any representatives of the press are present, bids shall at the time either be made available for examination by them or shall be read aloud in a manner to be heard plainly by those in attendance.

Sec. MM-28. 20-A MRSA §1315 as enacted by PL 1981, c. 693, §5 and §8 is amended to read:

§1315. Void contracts

A contract made by the school directors in a school administrative district or regional learning community during the term of a member who is pecuniarily interested in that contract, either directly or indirectly, shall be void, unless the board of directors has advertised for sealed bids for that contract and that advertisement for sealed bids has been published at least 5 days prior to the date set for closing of bids in a newspaper having general circulation within the school administrative unit.

Sec. MM- 29. 20-A MRSA chapter 103, subchapter 5, as amended, is further amended by repealing the subchapter headnote and enacting the following in its place:

Subchapter 5: DISTRICT OR REGIONAL LEARNING COMMUNITY
REFERENDUM

Sec. MM-30. 20-A MRSA §1351 as amended by PL 2005, c. 2, Part D, §9 is further amended to read:

§1351. District or Regional learning community referendum

The school board:

1. Authority to call a district or regional learning community referendum. Shall initiate a district or regional learning community referendum:

- A. To approve the issuance of bonds or notes for school construction projects;
- B. To approve a change in the selection of a school building site;
- C. To approve a change in the method of sharing costs among the member municipalities;
- D. To approve an agreement to add one or more municipalities to the district or regional learning community;
- E. To approve an agreement to transfer a participating municipality to another school administrative district or regional learning community;
- F. To approve an agreement to merge with another school administrative district or regional learning community;
- ~~G. To approve a proposed lease agreement with the Maine School Building Authority;~~
- H. To authorize the board of directors to contract for the schooling of secondary pupils;
- I. [repealed]
- J. To accept or reject a prospective gift; and
- K. To borrow funds for minor capital costs as defined in section 15672, subsection 20-A.

2. Required district or regional learning community referendum. Shall initiate a district or regional learning community referendum when requested by a written petition of at least 10% of the number of voters voting for the gubernatorial candidates in the last gubernatorial election in the municipalities within the district or regional learning community. At that referendum, the school board shall place before the voters the specific school construction article which has been requested by the petitioners.

Sec. MM-31. 20-A MRSA §1352 as amended by PL 1999, c. 93, §1 is further amended to read:

§1352. Method of calling a district or regional learning community referendum

A district or regional learning community referendum shall be initiated by a warrant prepared and signed by a majority of the board of directors. The warrant shall be countersigned by the municipal officers in the municipality where the warrants are posted.

1. Municipal officers. The warrant shall direct the municipal officers within the district or regional learning community to call a referendum on a date and time determined by the board of directors. A warrant shall be prepared and distributed at least 30 days prior to the date of the referendum, except that a warrant for a school district or regional learning community budget referendum held in accordance with section 1305, subsection 2 or sections 1305-A and 1305-B, whichever applies, shall be prepared and distributed at least 14 days prior to the date of the referendum.

A. The warrant shall be directed to a resident of the district or regional learning community by name, ordering the resident to notify the municipal officers of each of the municipalities within the district or regional learning community, to call a town meeting or city election on the date specified by the board of directors. No other date may be used. The person who serves the warrant shall make a return on the warrant stating the manner of services and the time when it was given.

B. The warrant shall be served on the municipal clerk of each of the municipalities within the district or regional learning community by delivering an attested copy of the warrant in hand within 3 days of the date of the warrant. The municipal clerk, on receipt of the warrant, shall immediately notify the municipal officers within the municipality. The municipal officers shall forthwith meet, countersign and have the warrant posted.

C. The warrants and other notices for the referendum must be in the same manner as provided in Title 21-A, except that the district or regional learning community board of directors shall hold a public hearing at least 7 days before the referendum vote. At least 7 days before the public hearing, the board of directors shall give notice of the public hearing by having a copy of the proposed referendum, together with the time and place of hearing, posted in the same manner required for posting a warrant under this section.

2. Content of the warrant. The warrant shall set forth the articles to be acted on in each municipal referendum. The articles shall have the following form.

A. Prior to July 1, 2008, when ~~When~~ a referendum is called for the purpose of authorizing the issuance of bonds or notes for capital outlay purposes, the articles shall be substantially as follows.

(1) "Shall the school directors of School Administrative District No..... be authorized to issue bonds or notes in the name of this ~~district~~ regional learning community for school construction purposes in an amount not to exceed \$..... to construct a (elementary or secondary

school) to be located at..... (specifically defined lot where school is to be erected)

Yes No "

(2) "Shall the school director of School Administrative District No.....be authorized to issue bonds or notes in the name of this district for school construction or minor capital projects in an amount not to exceed \$..... for the purpose of (here state purpose of school construction project)

Yes No "

(3) "Shall the school directors of School Administrative District No..... be authorized to use the bond issue or notes in an amount not to exceed \$..... which was voted by the district on (date) to construct a (elementary or secondary school) to be located at (specifically define lot where school is to be located)

Yes No "

(4) "Shall the school directors of School Administrative District No. be authorized to construct a (elementary or secondary school) to be located at (specifically defined lot where school is to be located) with the total project cost not to exceed \$..... and to issue bonds or notes in the name of this ~~district~~ regional learning community for school construction purposes in an amount not to exceed \$..... with the balance of the total project costs to be derived from (description of other sources of funds such as initial state share where approved for current fiscal year funding, proceeds from insured losses, money from federal sources, other noneducational funds, etc.)

Yes No "

A-1. On or after July 1, 2008, when a referendum is called for the purpose of authorizing the issuance of bonds or notes for capital outlay purposes, the articles shall be substantially as follows.

(1) "Shall the school directors of Regional Learning Community No..... be authorized to issue bonds or notes in the name of this ~~district~~ regional learning community for school construction purposes in an amount not to exceed \$..... to construct a (elementary or secondary school) to be located at..... (specifically defined lot where school is to be erected)

Yes No "

(2) "Shall the school director of Regional Learning Community No.....be authorized to issue bonds or notes in the name of this district for school construction or minor capital projects in an amount not to exceed \$..... for the

purpose of (here state purpose of school construction project)

Yes No "

(3) "Shall the school directors of Regional Learning Community No..... be authorized to use the bond issue or notes in an amount not to exceed \$..... which was voted by the regional learning community on (date) to construct a (elementary or secondary school) to be located at (specifically define lot where school is to be located)

Yes No "

(4) "Shall the school directors of Regional Learning Community No. be authorized to construct a (elementary or secondary school) to be located at (specifically defined lot where school is to be located) with the total project cost not to exceed \$..... and to issue bonds or notes in the name of this ~~district~~ regional learning community for school construction purposes in an amount not to exceed \$..... with the balance of the total project costs to be derived from (description of other sources of funds such as initial state share where approved for current fiscal year funding, proceeds from insured losses, money from federal sources, other noneducational funds, etc.)

Yes No "

B. When a district or regional learning community votes to change the site of its school construction project using the article in paragraph A, subparagraph (3), the date of authorization of the project is the original date the voters authorized the board of directors to issue bonds or notes for that project.

C. When a referendum is called for the purposes of approving the addition of a municipality to the district or regional learning community, the article shall be in the form set forth in section 1401, subsection 2, paragraph A.

D. When a referendum is called for the purpose of approving a proposed lease agreement with the Maine School Building Authority, the article shall be exactly as is set forth in the proposed lease agreement.

E. Prior to July 1, 2008, when ~~When~~ a referendum is called for the purpose of authorizing the school board to contract for the schooling of secondary pupils, the article shall be as follows.

"Shall the school directors of School Administrative District No..... be authorized to contract in the name of this district with (Name of Administrative Unit or Academy) for the schooling of secondary pupils for a term of years?

E-1. On or after July 1, 2008, when a referendum is called for the purpose of authorizing the school board to contract for the schooling of secondary pupils, the

article shall be as follows.

"Shall the school directors of regional learning community..... be authorized to contract in the name of this district with (Name of Administrative Unit or Academy) for the schooling of secondary pupils for a term of years?"

G. Prior to July 1, 2008, when ~~When~~ a referendum is called for the purpose of authorizing a change in the method of sharing costs in the district, the article shall be as follows.

"Shall the method of sharing costs in School Administrative District No.....be changed from the present method (describe) to the following method: (describe)"

G-1. On or after July 1, 2008, when a referendum is called for the purpose of authorizing a change in the method of sharing costs in the district, the article shall be as follows.

"Shall the method of sharing costs in regional learning community.....be changed from the present method (describe) to the following method: (describe)"

H. Prior to July 1, 2008, when ~~When~~ a referendum is called for the purposes of accepting or rejecting a prospective gift, the article shall be as follows.

"Shall the school directors of School Administrative District No..... be authorized to accept a prospective gift under the following conditions?(set forth terms and conditions)"

H-1. On or after July 1, 2008, when a referendum is called for the purposes of accepting or rejecting a prospective gift, the article shall be as follows.

"Shall the school directors of regional learning community..... be authorized to accept a prospective gift under the following conditions?(set forth terms and conditions)"

I. When a referendum is called for the purpose of approving the agreement to transfer a municipality from one district or regional learning community to another district or regional learning community, the article shall be the form set forth in section 1406.

Sec. MM-32. 20-A MRSA §1353 as amended by PL 1995, c. 168, §1 is further amended to read:

§1353. Referendum procedures

The following procedures shall apply to a district or regional learning community referendum

1. Ballots. The board of directors shall prepare and furnish the required number of ballots for carrying out the referendum as posted, including absentee ballots. It shall prepare and furnish all other materials necessary to fulfill the requirements for voting procedures.

2. Voting. Voting must be held and conducted as follows.

A. The voting at referenda held in towns must be held and conducted in accordance with Title 30-A, sections 2524 and 2528 to 2532, even though the town has not accepted the provisions of Title 30-A, sections 2524 and 2525. The facsimile signature of the clerk under Title 30-A, section 2528, subsection 6, paragraph F must be that of the chair of the board of directors. If a district or regional learning community referendum is called to be held simultaneously with any statewide election, the voting in towns must be held and conducted in accordance with Title 21-A, except that the duties of the Secretary of State must be performed by the board and if the statewide election is a primary election, any registered voter may vote in the referendum. The absentee voting procedure of Title 21-A must be used, except the duties of the Secretary of State must be performed by the board.

B. The voting at referenda in cities must be held and conducted in accordance with Title 21-A, including the absentee voting procedure, except that the duties of the Secretary of State must be performed by the board of directors and if the statewide election is a primary election, any registered voter may vote in the referendum.

3. Return and counting. The return and counting of votes shall be as follows.

A. The municipal clerk shall, within 24 hours of the determination of the results of the vote in the municipality, certify and send to the board of directors the total number of votes cast in the affirmative and in the negative on each article.

B. As soon as all of the results from all of the municipalities have been returned to the board of directors, the board shall meet and compute the total number of votes cast in all of the municipalities within the district or regional learning community in the affirmative and in the negative on each article.

C. If the board of directors determines that there were more votes cast in the affirmative than in the negative, on a given article, they shall declare that the article has passed.

D. If the board of directors determines that the total number of votes cast on an article in the affirmative is equal to or less than those cast in the negative, they shall declare that the article has not passed.

E. They shall enter their declaration and computations in their records and send certified copies of it to the clerk of each municipality within the district or regional learning community.

F. If the district or regional learning community votes on the question of merging with another or regional learning community, the secretary shall immediately file a return with the state board of the results of the vote on the question of merger.

Sec. MM-33. 20-A MRSA §1354 as enacted by PL 1981, c. 693, §5 and §8 is amended to read:

§1354. Reconsideration

The procedure to reconsider votes taken at a district referendum shall be as follows.

1. Time limit. The board of directors shall, within 60 days, initiate a new district or regional learning community referendum to reconsider the vote of the previous referendum if, within 7 days of the first referendum, at least 10% of the number of voters voting for the gubernatorial candidates in the last gubernatorial election in the municipalities within the district or regional learning community petition to reconsider a prior district or regional learning community referendum vote.

2. Required quorum. A reconsideration referendum is not valid unless the number of persons voting in that referendum is at least equal to the number who voted in the prior district or regional learning community referendum.

3. Bond. If the margin of the vote being reconsidered was between 10% and 25%, the petitioners shall post a bond with the petition equal to the actual and reasonable costs of the new referendum. If the margin of the vote being reconsidered exceeded 25%, the petitioners shall post an additional bond equal to the actual and reasonable costs which may be incurred as a result of the delay of an authorization or approval granted in the prior district or regional learning community referendum. If the petitioners are successful, the bonds shall be canceled.

Sec. MM-34. 20-A MRSA §1355 is enacted to read:

§1355. Bonds; notes; other

All bonds, notes or other evidences of indebtedness issued for school purposes by a school administrative unit for major capital expenses, bus purchases or current operating expenses, including tax or other revenue anticipation notes, are general obligations of the unit.

1. Tax assessments. The municipal officers or school board shall require the sums that are necessary to meet in full the principal of and interest on the bonds, notes or other evidences of indebtedness issued pursuant to this section payable in each year to be assessed and collected in the manner provided by law for the assessment and collection of taxes.

2. Reduction. The sums to be assessed and collected under subsection 1 must be reduced by the amount of an allocation of funds appropriated by the Legislature to pay the principal and interest owed by the school administrative unit in a given year as certified to the unit by the commissioner. The commissioner shall certify the amount due to the unit within 30 days of its appropriation by the Legislature.

3. Collection. After assessment and reduction under subsection 2, the remaining

sum must be paid from ad valorem taxes, which may be levied without limit as to rate or amount upon all the taxable property within the school administrative unit.

Sec. MM-35. 20-A MRSA chapter 103, subchapter 6 (sections 1401 – 1409) is repealed and replaced with the following:

Subchapter 6-A: Elementary School Closing

§1407. Closing an elementary school

1. Vote; cost of election. An elementary school in a member municipality of a regional learning community may not be closed unless the voters in the member towns vote on the following article in accordance with the procedure set forth in sections 1351 to 1354.

"Article : Shall the board of directors of Region No. be authorized to close
..... (name of school)?

Yes No "

(The election must be conducted only within that member municipality, and the costs of the election are borne by the regional learning community.)

2. Expense of keeping the school open. If the voters vote to keep the school open, the member municipality is liable for some additional expense for actual local operating costs and transportation operating costs as defined in section 15672. The determination of costs is subject to the approval of the commissioner. The cost to be borne by the town voting to keep an elementary school open is the amount that would be saved if the school were closed. Any additional costs that must be borne by the member municipality must be part of the article presented to the voters at the meeting to determine whether the school should remain open.

3. Costs and procedures during subsequent years. During any year subsequent to the year during which an elementary school remains open contrary to the regional board of director's vote to close that elementary school, as a result of a municipal referendum, the elementary school will be open without any additional cost to the municipality except as described in paragraphs A and B.

A. If the regional board of directors again votes to close the elementary school and the voters of the member municipality again vote to keep the elementary school open, as described in this paragraph, then the elementary school will remain open and the member municipality will be obligated to pay the additional costs as described in subsection 2.

B. If the regional board of directors again votes to close the elementary school and the voters of the member municipality fail to vote to keep the elementary school open, then the elementary school is closed. In this event, the elementary school may

be reopened only if regional board of directors votes to reopen the school.

4. Definition of elementary school closing. In this section, an elementary school closing shall be any action or actions by the regional learning community that have the effect of providing no instruction for any students at that elementary school.

5. Method of payment by liable municipality. If a municipality is liable for additional expenses as determined in subsection 1, paragraph B, then the amount of this additional expense shall be subtracted from the regional learning community budget before each member municipality's assessment is computed. This additional expense shall be paid by the member municipality which is liable in equal monthly amounts, unless the regional learning community and that member municipality mutually agree to another method of payment.

§1408. State board review of commissioner's decisions

A regional learning community or other interested parties may request that the state board reconsider decisions made by the commissioner under this subchapter. The state board may have the authority to overturn decisions made by the commissioner. In exercising this power, the state board is limited by this subchapter.

§1409. Rules

The state board may adopt rules to carry out this subchapter.

Sec. MM-36. 20-A MRSA §7209, sub-§1, ¶E as enacted by PL 2005, c. 622, Part A, §30 is amended to read:

E. The department, in consultation with regional sites, shall develop an action plan with timelines to achieve compliance with federal or state law. The department may assume temporary responsibilities for operations at a regional site that fails to meet compliance requirements. This subsection is repealed June 30, 2008.

Sec. MM-37. 20-A MRSA §7209, sub-3 ¶¶ E - F as enacted by PL 2005, c. 622, Part A, §30 are amended to read:

E. Establish a standard, statewide template for ~~regional site~~ contracts with therapeutic service providers, including policies and procedures for the review of contracts, ~~that must be included in the annual entitlement plan described in~~ subsection 1, beginning in fiscal year 2006-07;

F. Refine program accountability standards for compliance with federal mandates ~~that must be included in the annual entitlement plan described in subsection 1,~~ including the development of a performance review system to monitor and improve ~~regional site~~ performance through the use of efficiency ratings aligned with the accountability standards and through a compliance plan that requires the meeting of ~~the regional site to address~~ the unmet needs of eligible children in accordance with

specific targets and time frames;

Sec. MM-38. 20-A MRSA §7209, sub-§5 as enacted by PL 2005, c. 622, Part A, §30 is amended to read:

5. Regional site board of directors. A board of directors of a regional site is responsible for governance of its activities, including the management and oversight of its general operations. Membership must include representatives of the regional offices of the Department of Health and Human Services, representatives of participating school administrative units, parents of children with disabilities and other community members as determined appropriate. A regional site board member or a board member's employer may not, during the term for which the member serves on the board, derive any revenue from work performed for the Child Development Services System. A representative of a participating school administrative unit whose participation in the Child Development Services System is limited to work performed for the school administrative unit is exempt from the requirements of this subsection. Terms of membership and methods of appointment or election for each board of directors must be determined by the board of director's bylaws, subject to approval by the department. This subsection is repealed June 30, 2008.

6. Regional site board of directors; annual entitlement plan; site budget approval. A board of directors of a regional site is entitled to receive annual grant award allocations that are approved by the department in accordance with the approval provisions for the annual entitlement plan and the budget for a regional site pursuant to subsection 1, paragraph B. This subsection is repealed September 30, 2007.

~~**7. Regional site; administration.** A board of directors of a regional site shall:~~

~~A. Hire, fire and supervise the staff of the regional site according to the job classifications, pay scales and personnel policies established by the state intermediate educational unit established under subsection 3;~~

~~B. Enter into contracts, leases and agreements and any other instruments and arrangements that are necessary, incidental or convenient to the performance of its duties and the execution of its powers under this chapter, using forms and procedures developed by the department;~~

~~C. Ensure data entry and reporting through June 30, 2007; and~~

~~D. Provide fiscal management of money allocated to it, in compliance with federal and state laws and subject to proof of an annual audit.~~

Sec. MM-39. 20-A MRSA §7209 sub-§8 as enacted by PL 2005, c. 622, Part A, §30 is amended to read:

8. Regional site; duties and obligations. A board of directors of a regional site shall:

A. Ensure provision of child find activities as required by the federal Individuals with Disabilities Education Act, 20 United States Code, Section 1400 et seq.;

B. Ensure provision of childcount activities as required by the federal Individuals with Disabilities Education Act, 20 United States Code, Section 1400 et seq.;

C. Ensure appropriate data collection, training, staff development and direct service provision to eligible children with disabilities, from birth to under 3 years of age, in accordance with Part C of the federal Individuals with Disabilities Education Act, 20 United States Code, Section 1400 et seq.;

D. Ensure that eligible children with disabilities, from birth to under 3 years of age, receive early intervention services, in accordance with the payment provisions established by the State;

E. Ensure that eligible children with disabilities, from 3 years of age to under 6 years of age, receive free, appropriate public education services, in collaboration with school administrative units when possible;

F. Coordinate with eligible families the development of individualized family service plans for children with disabilities from birth to 2 years of age or coordinate an individualized education program for a child 3 years of age to under 6 years of age unless an individualized family service plan is preferred; and

G. Designate local personnel for training to commit funds for free, appropriate public education. Personnel who commit funds for free, appropriate public education must be trained and certified by the state intermediate educational unit established under subsection 3. The board of directors of a regional site shall determine which trained and certified personnel may commit funds.

This subsection is repealed June 30, 2008.

Sec. MM-40. 20-A MRSA §8301-A as amended by PL 2005, c. 2, Part D, §23 is further amended to read:

§8301-A. Definitions

As used in this chapter, unless the context otherwise indicates, the following terms have the following meanings.

1. Affiliated unit. "Affiliated unit" means a school administrative unit that is affiliated with another school administrative unit that operates a center. An affiliated school administrative unit may have its secondary students served by a center operated by a school administrative unit with which it is affiliated. An affiliated school administrative unit may also operate career and technical education satellite programs.

2. Budget failure. "Budget failure" means the failure of a region, by August 1st of any fiscal year, to approve a budget for the region that is at least equal to the sum of the total allocations for career and technical education of the member school administrative units in the region.

This section is repealed June 30, 2008.

2-A. Career and technical education. "Career and technical education" means a

course or program of education designed to create or improve job-related skills that is part of a secondary school curriculum and approved by the commissioner according to this chapter. A regional learning community school administrative unit shall make career and technical education available to persons residing in the region school administrative unit who are eligible to receive free public secondary education.

3. Center. "Center" means an administrative entity ~~established pursuant to this chapter~~ that provides career and technical education to secondary students. ~~Unless otherwise specifically provided for by this chapter, a center~~ and is governed, operated and administered by the regional learning community in which the center is located a single school administrative unit. A center shall make its programs available to serve secondary students from the regional learning community in which it is located, school administrative units with which it is affiliated. A center may include within its administrative structure career and technical education satellite programs operated within the region by ~~school administrative units with which it is affiliated~~.

~~**4. Municipality.** "Municipality" has the same meaning as in section 15672, subsection 21.~~

~~**5. Parent.** "Parent" means a parent, as defined in section 1, subsection 20, with legal custody of a minor child.~~

~~**6. Region.** "Region" means a quasi-municipal corporation established by the Legislature to provide career and technical education to secondary students that is comprised of all the school administrative units within the geographical boundaries set forth for each career and technical education region in section 8451. A region is governed by a cooperative board formed and operating in accordance with this chapter.~~

~~**7. Residence.** "Residence" means, with reference to a person's eligibility to receive career and technical education, the school administrative unit in which is located the legal residence of the person's parent if the person has not reached 18 years of age, the legal residence of the person after the person reaches 18 years of age or the legal residence of the person after the person becomes an emancipated minor. A federal reservation is considered part of the school administrative unit in which it is located.~~

8. Satellite program. "Satellite program" means a program delivered away from a career and technical education center that provides ~~providing~~ career and technical education to secondary students that is operated, ~~under section 8403-A,~~ by a regional learning community school administrative unit affiliated with a center.

~~**9. State subsidy.** "State subsidy" has the same meaning as in section 15672, subsection 31-A.~~

~~**10. Unit.** "Unit" means a school administrative unit.~~

~~**11. Vocational education.**~~

Sec. MM-41. 20-A MRSA §8305-A as corrected by RR 2003, c. 2, §43, is amended to read:

§8305-A. Eligibility

1. General right. A person eligible to receive free public secondary education may, consistent with this section and department rules:

A. Receive career and technical education from a regional learning community center, satellite program or region that serves the person's residence; or

B. Receive career and technical education from a ~~center, satellite program or region~~ regional learning community outside of the geographical area that serves the person's residence, subject to the approval of the commissioner and the governing bodies of the sending ~~unit~~ regional learning community and receiving regional learning community center, satellite program or region.

-2. Admission standards. A regional learning community ~~region, center or satellite program~~ shall determine, in accordance with its published admission standards, whether to admit a person to ~~its such a region, center or satellite~~ program. Unless otherwise specifically provided for in this chapter, priority to enroll in any career and technical education course of study offered by a regional learning community ~~region, center or satellite program~~ must be given first to persons eligible to receive a free public secondary education who are residents of municipalities served by that ~~region, center or satellite program~~.

-3. Adult participation in career and technical education courses. Persons who are 20 years of age or older and who otherwise comply with the requirements of this section may receive career and technical education in a career and technical education course if, after all other eligible persons have been enrolled in that course, space exists to accommodate participation by persons who are 20 years of age or older. A regional learning community ~~region, center or satellite program~~ may charge reasonable fees to persons who are 20 years of age or older and who receive career and technical education pursuant to this section.

Sec. MM-42. 20-A MRSA §8306 as corrected by RR 2003, c. 2, §44 and §45 is amended to read:

§8306. Powers and duties of State Board of Education

1. State plan. The state board shall approve and update as it determines necessary a state plan for career and technical education, in compliance with the requirements of applicable state and federal laws, rules and regulations. The state plan must be prepared by the commissioner.

2. Center and region plans. The state board shall approve a plan for the provision of career and technical education by each regional learning community ~~center or region~~. The plans must be prepared by each regional learning community ~~center or region~~ at the

time of its organization or reorganization, approved by the school board ~~or cooperative board~~ governing each regional learning community ~~center or region~~ respectively, and include:

- A. A survey of the career and technical education needs nationally, statewide and in the geographic area served by the ~~center or region~~;
- B. A survey of employment opportunities nationally, statewide and in the geographic area served by the ~~center or region~~;
- C. A description of the programs to be offered by the regional learning community ~~center or region~~;
- C-1. A description of the manner in which academic courses will be used to augment trade-oriented skill courses for career and technical education students in ~~at~~ the ~~center or region~~;
- D. A description of each geographic area served by the regional learning community ~~center or region~~ and the location of each career and technical education program to serve those areas; and
- E. A description of the manner in which the career and technical education programs offered by the regional learning community ~~center or region~~ address the career and technical education needs in the geographic area served by the ~~center or region~~ and employment opportunities nationally, statewide and in the geographic area served by the ~~center or region~~.

5. Reorganizing centers and regions. The state board may, in compliance with section 8307:

- A. Change existing boundaries of centers and regions;
- B. Change the status of a center to a region or a region to a center;
- C. Dissolve existing regions or centers;
- D. Create new regions or centers; or
- E. Create alternative organizational methods of delivering career and technical education.

This subsection is repealed June 30, 2008.

Sec. MM-43. 20-A MRSA §8306-A is amended to read:

§8306-A. Rules; approval of career and technical education programs and courses

The commissioner may adopt rules to establish requirements for career and technical education programs and courses in alignment with the system of learning results established in section 6209, to establish procedures for approving career and technical education programs and courses and to otherwise carry out the purposes of this chapter.

A program or course of career and technical education may not be offered by a ~~region, center or affiliated unit~~ regional learning community unless approved by the commissioner in compliance with rules adopted pursuant to this chapter.

Sec. MM-44. 20-A MRSA §8307-A as corrected by RR 2003, c. 2, §§47-50 is repealed.

Sec. MM-45. 20-A MRSA c 313, sub-c. 2 is amended to read:

Subchapter 2: FINANCING

§8351. State aid for career and technical education centers and career and technical education regions. State aid for centers and regions must be administered in accordance with chapters 606-B and 609 and Title 20, section 3457 This section is repealed June 30, 2008.

§8352. Department budget recommendations

1. Budget recommendation. Prior to December 15th of each year, the commissioner, with the approval of the state board, shall certify to the Governor and to the Bureau of the Budget the funding levels the commissioner recommends to carry out the purposes of this subchapter and subchapters III and IV. The commissioner shall include these funding levels in the department's request to the Legislature for appropriations from the General Fund to carry out the purposes of this chapter.

2. Budget limitation. This section does not apply to construction grants made under chapter 609 and Title 20, section 3460.

§8353. Tuition for students sent out of state

If a ~~unit~~ regional learning community that serves a student's residence determines that that student would be better served by receiving career and technical education, on a tuition basis, at an out-of-state secondary level career and technical school that is located closer to that student's residence than a Maine regional learning community center, ~~satellite program or region~~ serving that student's residence, the State shall subsidize the ~~unit~~ regional learning community the same amount for that student as would have been incurred by ~~such a center, satellite program or~~ the region providing the same or similar career and technical education to the student.

§8354. Tuition computation for out-of-state students

The tuition charge for each out-of-state student receiving career and technical education ~~at a center, satellite program or~~ in a regional learning community ~~a region~~ is determined as follows.

1. Primary method. The per student tuition charge is determined by:

A. Adding the amounts paid by the municipalities in the ~~center, satellite program or~~

region during the previous fiscal year for:

- (1) Teachers' salaries;
- (2) Fuel;
- (3) Janitorial services;
- (4) Textbooks;
- (5) Reference books;
- (6) School supplies for desk and laboratory use;
- (7) Public utility services;
- (8) Replacement of instructional equipment;
- (9) Insurance;
- (10) Compensation for the career and technical education director and the career and technical education director's assistants;
- (11) Employee fringe benefits; and
- (12) Electricity services provided by competitive electricity providers or other entities authorized by the Public Utilities Commission to provide electricity services;

B. Adjusting the amounts in paragraph A by the allowable percentages set forth in section 5805, subsection 1, paragraph D; and

C. Dividing this sum by the average number of all regularly enrolled students ~~at the center, satellite program or in the~~ region on October 1st and April 1st of the previous fiscal year.

2. Alternate method. When the cost of fuel, janitorial services, public utility services, electricity services or insurance for facilities used to provide career and technical education can not be separated from similar costs for other facilities not used to provide career and technical education, the costs of facilities used to provide career and technical education are determined by prorating the square footage of floor space used to provide career and technical education to the total amount of floor space at the facilities.

Sec. MM- 46. 20-A MRSA chapter 313, subchapter 3, as amended, is further amended by repealing the subchapter headnote and enacting the following in its place:

Subchapter 3: CAREER AND TECHNICAL EDUCATION CENTERS

Sec. MM-47. 20-A MRSA §8401 as amended by PL 1991, c. 655, §8 is further amended to read:

§8401. Vocational Career and technical education centers

Centers shall operate within the regions established in section 1103 at Augusta, Bath, Biddeford, School Administrative District No. 61(Bridgton) , Caribou, School Administrative District No. 46(Dexter) Ellsworth , School Administrative District No. 9(Farmington), School Administrative District No. 27 (Fort Kent), Lewiston,

Madawaska, Portland, School Administrative District No. 1(Presque Isle) , Sanford, School Administrative District No. 54(Skowhegan), School Administrative District No. 24(Van Buren), Waterville and Westbrook. School Administrative District No. 27, School Administrative District No. 33 and Madawaska School Department are authorized to enter into a cooperative agreement to provide for the construction and operation of a center in School Administrative District No. 33.

Sec. MM-48. 20-A MRSA §8403-A as corrected by RR 2003, c. 2, §§ 55-56 is amended by adding at the end the following:

7. Repeal. This section is repealed as of June 30, 2008.

Sec. MM-49. 20-A MRSA §8404 as amended by PL 2005, c. 2, Part D, §26, is amended by adding at the end the following:

5. Repeal. This section is repealed as of June 30, 2008.

Sec. MM-50. 20-A MRSA §8405 as amended by PL 1998, c. 518, §16 is further amended to read:

§8405. Director

A ~~unit~~ regional learning community operating a center shall employ a certified vocational director.

1. Qualifications. The vocational director must meet the qualifications prescribed by the state board.

2. Administrative status. The vocational director shall serve as chief administrative officer of the center and has the authority of a principal in the unit operating the center.

Sec. MM-51. 20-A MRSA §8451, sub-§1 as corrected by RR 2003, c. 2, §60 is amended to read:

1. Legislative intent. It is the intent of the Legislature that each career and technical education region shall provide career and technical education in accordance with this chapter and shall function as an extension of the secondary schools located within the region's boundaries. This section is repealed June 30, 2008.

Sec. MM-52. 20-A MRSA §8451-A as amended by PL 2005, c. 2, Part D, §27 is further amended to read:

§8451-A. Programs

A region shall provide programs of career and technical education. Programs of career and technical education are eligible to receive state subsidy pursuant to chapters 606-B and 609. All programs of career and technical education offered by a region must be approved by the commissioner pursuant to section 8306-A. The programs must offer a sequence of courses that are directly related to the preparation of individuals for employment in current or emerging occupations and may include training and education in-academic and business skills preparing students to further their education at the community college or college level or allowing students to use trade and occupational skills on other than an employee basis. Programs of career and technical education may also include alternative educational programs and training and education in music, athletics, art and other activities approved by the commissioner pursuant to section 8306-A. This section is repealed June 30, 2008.

Sec. MM-53. 20-A MRSA §8452 as corrected by RR 2003, c. 2, §62 is amended by adding at the end the following:

9. This section is repealed June 30, 2008.

Sec. MM-54. 20-A MRSA §8453-A as enacted by PL 1991, c. 518, §21 is amended by adding at the end the following:

4. Repeal. This section is repealed June 30, 2008.

Sec. MM-55. 20-A MRSA §8454 as corrected by RR 2003, c. 2, §63 is amended by adding at the end the following:

4. Repeal. This section is repealed June 30, 2008.

Sec. MM-56. 20-A MRSA §8455 as amended by PL 2003, c. 545, §5 is further amended to read.

§8455. Career and technical education region considered a political subdivision

A career and technical education region is a political subdivision within the meaning of Title 5, section 19002, subsection 6, and a quasi-municipal corporation within the meaning of Title 30-A, section 5701, and all the provisions of those sections apply to it. This section is repealed June 30, 2008.

Sec. MM-57. 20-A MRSA §8456 as amended by PL 2003, c. 545, §5 is further amended to read:

§8456. Voter approval of cooperative board articles

A region shall vote on articles submitted by the cooperative board using the procedures set forth in sections 1351 to 1354. For such purposes, references in those sections to "school administrative district" or "district" mean career and technical education region; references in those sections to "board of directors," "board," "school board," "school directors" or "school director" mean cooperative board; and references in those sections to "they" mean either, as appropriate in the context, cooperative board or members of the cooperative board. This section is repealed June 30, 2008.

Sec. MM-58. 20-A MRSA §8457 as amended by PL 2003, c. 545, §5 is further amended to read:

7. Repeal. This section is repealed June 30, 2008.

Sec. MM-59. 20-A MRSA §8458, sub-§1 as corrected by RR 2003, c. 2, §64 is further amended to read:

§8458. Career and technical education director; chief administrative officer.

1. Employment of career and technical education director. The ~~cooperative~~ regional learning community board shall employ a certified career and technical education director who shall administer, in compliance with this section, the provision of career and technical education in the region.

4. Appointment of chief administrative officer. The ~~cooperative~~ regional learning community board shall appoint a chief administrative officer who shall administer the ~~region~~ career and technical education program in compliance with policy set by the ~~cooperative~~ regional learning community board, nominate teachers and other employees for employment by the region and perform such other duties as are assigned to the chief administrative officer by the ~~cooperative~~ regional learning community board. The ~~cooperative~~ regional learning community board shall appoint as the chief administrative officer either:

- A. The career and technical education director; or
- B. The superintendent of a ~~unit~~ in the region.

5. Appointment of treasurer and secretary. The cooperative board may appoint the career and technical education director or the chief administrative officer as treasurer or secretary, or both, of the cooperative board.

Sec. MM-60. 20-A MRSA §8459 as amended by PL 2005, c. 397, Part D, §3 is further amended by adding at the end the following:

§8459. Superintendents' advisory committee.

The superintendents of the units within each region shall serve as an advisory committee to the cooperative board. This committee:

1. Right to attend cooperative board meetings. Must receive notice of and must be invited to attend all meetings of the cooperative board; and

2. Meeting with vocational director. Shall meet with the vocational director of the region at least 4 times each calendar year to review current and proposed programs, budgets and issues relating to career and technical education in the region.

3. Repeal. This section is repealed June 30, 2008.

Sec. MM-61. 20-A MRSA §8460 as corrected by PL 2005, c. 2, §§ 65 and 66 is further amended by adding at the end the following to read:

4. Repeal. This section is repealed June 30, 2008.

Sec. MM-62. 20-A MRSA §8461 as amended by PL 2005, c. 397, Part D, §3 is further amended to read:

4. Repeal. This section is repealed June 30, 2008.

Sec. MM-63. 20-A MRSA §8462 as amended by PL 2005, c. 397, Part D, §3 is further amended to read:

3. Repeal. This section is repealed June 30, 2008.

Sec. MM-64. 20-A MRSA §8463 as amended by PL 12991, c. 518, §29 is further amended to read:

4. Repeal. This section is repealed June 30, 2008.

Sec. MM-65. 20-A MRSA §8464 as amended by PL 2005, c. 397, Part D, §3 is further amended to read:

5. Repeal. This section is repealed June 30, 2008.

Sec. MM-66. 20-A MRSA §8465 as amended by PL 2003, c. 545, §5 is further amended by adding at the end the following:

4. Repeal. This section is repealed June 30, 2008.

Sec. MM-67. 20-A MRSA §8466 as amended by PL 2005, c. 397, Part D, §3 is further amended by adding at the end the following:

3. Repeal. This section is repealed June 30, 2008.

Sec. MM-68. 20-A MRSA §8467 as amended by PL 2003, c. 545, §5 is further amended by adding at the end the following is amended to read:

3. Repeal. This section is repealed June 30, 2008.

Sec. MM-69. 20-A MRSA §8468 as amended by PL 2003, c. 545, §5 is further amended by adding at the end the following:

4. Repeal. This section is repealed June 30, 2008.

Sec. MM-70. 20-A MRSA §15671, sub-§5 as enacted by PL 660, sub-§1 is amended to read:

5. Exceeding maximum state and local spending target. If the sum of a school administrative unit's required local contribution determined pursuant to section 15688, subsection 3-A plus the state contribution as calculated pursuant to section 15688, subsection 3-A, paragraph D, plus any state funds resulting from a transition adjustment pursuant to section 15686, plus any additional local amount proposed to be raised pursuant to section 15690, subsection 3 exceeds the school administrative unit's maximum state and local spending target established pursuant to subsection 4, the following provisions govern approval of that additional amount.

A. The article approving the additional amount must conform to the requirements of section 15690, subsection 3, paragraph B. Notwithstanding section 1304, subsection 6; section 1701, subsection 7; Title 30-A, section 2528, subsection 5, or any other provision of law, municipal charter provision or ordinance, voter approval of the article, whether in town meeting, district meeting or other voting process established by law, municipal charter or ordinance, including, but not limited to, any vote on the article initiated by voter petition, must be by referendum or written ballot.

B. In a municipality where the responsibility for final adoption of the school budget is vested by the municipal charter in a council, this paragraph applies, except that the petition and referendum provisions apply only if the municipal charter does not otherwise provide for or prohibit a petition and referendum process with respect to the matters described in this paragraph.

(1) A majority of the entire membership of the school board or committee must approve the additional amount in a regular budget meeting.

(2) An article approving the additional amount must conform to the requirements of section 15690, subsection 3, paragraph B and be approved by a majority of the entire membership of the council in a vote taken in accordance with section 15690, subsection 5 or, if the council votes not to approve the article, by a majority of voters voting in a referendum called pursuant to subparagraph (4).

(3) If an article is approved by the council pursuant to subparagraph (2), the voters may petition for a referendum vote on the same article in accordance with subparagraph (4). If a petition is filed in accordance with subparagraph (4), the vote of the council is suspended pending the outcome of the referendum vote. Upon approval of the article by a majority of the voters voting in that referendum, the article takes effect. If the article is not approved by a majority of the voters voting in that referendum, the article does not take effect. Subsequent to the vote, the school committee or board may again propose an additional amount, subject to the requirements of this section.

(4) If a written petition, signed by at least 10% of the number of voters voting in the last gubernatorial election in the municipality, requesting a vote on the additional amount is submitted to the municipal officers within 30 days of the council's vote pursuant to subparagraph (2), the article voted on by the council must be submitted to the legal voters in the next regular election or a special election called for the purpose. The election must be held within 45 days of the submission of the petition. The election must be called, advertised and conducted according to the law relating to municipal elections, except that the registrar of voters is not required to prepare or the clerk to post a new list of voters and absentee ballots must be prepared and made available at least 14 days prior to the date of the referendum. For the purpose of registration of voters, the registrar of voters must be in session the secular day preceding the election. The voters shall indicate by a cross or check mark placed against the word "Yes" or "No" their opinion on the article. The results must be declared by the municipal officers and entered upon the municipal records.

C. Repeal. This subsection is repealed effective June 30, 2008.

Sec. MM-71. 20-A MRSA §15671, sub-§6 is enacted to read:

6. Exceeding maximum state and local spending target. Beginning July 1, 2008, if the sum of a school administrative unit's required local contribution determined pursuant to section 15688, subsection 3-A plus the state contribution as calculated pursuant to section 15688, subsection 3-A, paragraph D, plus any state funds resulting from a transition adjustment pursuant to section 15686, plus any additional local amount proposed to be raised pursuant to section 15690-A, subsection 3 exceeds the school administrative unit's maximum state and local spending target established pursuant to subsection 4, the following provisions govern approval of that additional amount.

Sec. MM-72. 20-A MRSA §15675, sub-§1, ¶D is enacted to read:

D. Repeal. This section is repealed June 30, 2008.

Sec. MM-73. 20-A MRSA §15688 as amended by PL 2005, c. 2, §§ 53-57 is further amended to read:

§15688. School administrative unit contribution to total cost of funding public

education from kindergarten to grade 12

1. School administrative unit; total cost. For each school administrative unit, the commissioner shall annually determine the school administrative unit's total cost of education. A school administrative unit's total cost of education must include:

A. The school administrative unit's base total calculated pursuant to section 15683, subsection 1, adjusted pursuant to the transition targets described in section 15671, subsection 7, paragraph A;

2. Member municipalities in school administrative districts or community school districts; total costs. For each municipality that is a member of a school administrative district or community school district, the commissioner shall annually determine each municipality's total cost of education. A municipality's total cost of education is the school administrative district's or community school district's total cost of education multiplied by the percentage that the municipality's most recent calendar year average pupil count is to the school administrative district's or community school district's most recent calendar year average pupil count. This subsection is repealed effective June 30, 2008.

2-A. Member municipalities in a regional learning community; total costs. Effective July 1, 2008, for each municipality that is a member of a regional learning community, the commissioner shall annually determine each municipality's total cost of education. A municipality's total cost of education is the regional learning community's total cost of education multiplied by the percentage that the municipality's most recent calendar year average pupil count is to the regional learning community's most recent calendar year average pupil count.

3. School administrative unit; contribution.

3-A. School administrative unit; contribution. For each school administrative unit, the commissioner shall annually determine the school administrative unit's required contribution, the required contribution of each municipality that is a member of the unit, if the unit has more than one member, and the State's contribution to the unit's total cost of education in accordance with the following.

A. For a school administrative unit composed of only one municipality, the contribution of the unit and the municipality is the same and is the lesser of:

- (1) The total cost described in subsection 1; and
- (2) The total of the full-value education mill rate calculated in section 15671-A, subsection 2 multiplied by the property fiscal capacity of the municipality.

B. For a school administrative district or community school district composed of more than one municipality, each municipality's contribution to the total cost of education is the lesser of:

- (1) The municipality's total cost as described in subsection 2; and
- (2) The total of the full-value education mill rate calculated in section 15671-A, subsection 2 multiplied by the property fiscal capacity of the municipality.

C. For a school administrative district or community school district composed of more than one municipality, the unit's contribution to the total cost of education is the lesser of:

- (1) The total cost as described in subsection 1; and
- (2) The sum of the totals calculated for each member municipality pursuant to paragraph B, subparagraph (2).

D. The state contribution to the school administrative unit's total cost of education is the total cost of education calculated pursuant to subsection 1 less the school administrative unit's contribution calculated pursuant to paragraph A or C, as applicable. The state contribution is subject to reduction in accordance with section 15690, subsection 1, paragraph C.

E. This subsection is repealed effective June 30, 2008.

3-B. School administrative unit; contribution. For each school administrative unit, the commissioner shall annually determine the school administrative unit's required contribution, the required contribution of each municipality that is a member of the unit, if the unit has more than one member, and the State's contribution to the unit's total cost of education in accordance with the following.

A. For a regional learning community, each municipality's contribution to the total cost of education is the lesser of:

- (1) The municipality's total cost as described in subsection 2; and
- (2) The total of the full-value education mill rate calculated in section 15671-A, subsection 2 multiplied by the property fiscal capacity of the municipality.

B. For a regional learning community, the unit's contribution to the total cost of education is the lesser of:

- (1) The total cost as described in subsection 1; and
- (2) The sum of the totals calculated for each member municipality pursuant to paragraph A, subparagraph (2).

C. The state contribution to the school administrative unit's total cost of education is the total cost of education calculated pursuant to subsection 1 less the school administrative unit's contribution calculated pursuant to paragraph B. The state contribution is subject to reduction in accordance with section 15690, subsection 1, paragraph C.

D. This subsection takes effect July 1, 2008.

4. Method of cost sharing; exception. For the purpose of local cost sharing, the provisions of subsection 3-A do not apply to municipalities that are members of a school administrative district or a community school district whose cost sharing formula was established pursuant to private and special law prior to January 1, 2004. For each municipality that is a member of a school administrative district or a community school district whose cost sharing formula was established pursuant to private and special law

prior to January 1, 2004, the cost sharing formula established pursuant to private and special law determines each municipality's local cost of education. This subsection is repealed effective June 30, 2008.

5. Effective date. This section takes effect July 1, 2005.

Sec. MM-74. 20-A MRSA §15689 sub-§1-A as enacted by PL 2005, c. 519, Part AAAA, §14 is amended to read:

1-A. Adjustments to state contributions to member municipalities in certain school districts. Beginning in fiscal year 2007-08, the minimum state allocation provisions of subsection 1 are applicable for each case when one or more member municipalities, but not all the district's member municipalities, have a local contribution that is below the mill rate expectation established pursuant to section 15671-A. For each school district eligible under this subsection, the minimum state allocation provisions of subsection 1 are applicable for each member municipality that has a local contribution that is below the mill rate expectation established pursuant to section 15671-A, except that the transition percentages in section 15689, subsection 1, paragraph B must be multiplied by the percentage of calendar year resident pupils in the member municipality. This subsection is repealed effective June 30, 2008.

Sec. MM-75. 20-A MRSA §15689 , sub-§1-B is enacted to read:

1-B. Adjustments to state contributions to member municipalities in certain regional learning communities. Beginning in fiscal year 2008-09, the minimum state allocation provisions of subsection 1 are applicable for each case when one or more member municipalities, but not all the regional learning community member municipalities, have a local contribution that is below the mill rate expectation established pursuant to section 15671-A. For each regional learning community eligible under this subsection, the minimum state allocation provisions of subsection 1 are applicable for each member municipality that has a local contribution that is below the mill rate expectation established pursuant to section 15671-A, except that the transition percentages in section 15689, subsection 1, paragraph B must be multiplied by the percentage of calendar year resident pupils in the member municipality.

Sec. MM-76. 20-A MRSA §15690 sub-§7 is enacted to read:

7. Repeal. This section is repealed effective June 30, 2008.

Sec. MM-77. 20-A MRSA §15690-A is enacted to read:

§15690-A. Local appropriations

Beginning with the budget for the 2008-2009 school year, the following provisions apply to local appropriations for school purposes.

1. School administrative unit contribution to total cost of funding public education from kindergarten to grade 12. The legislative body of each school administrative unit may vote to raise and appropriate an amount up to its required contribution to the total cost of education as described in section 15688.

A. For a school administrative unit, an article in substantially the following form must be used when the school administrative unit is considering the appropriation of an amount up to its required contribution to the total cost of education as described in section 15688.

(1) "Article: To see what sum the regional learning community will appropriate for the total cost of funding public education from kindergarten to grade 12 as described in the Essential Programs and Services Funding Act and to see what sum the regional learning community will raise and assess as each municipality's contribution to the total cost of funding public education from kindergarten to grade 12 as described in the Essential Programs and Services Funding Act in accordance with the Maine Revised Statutes, Title 20-A, section 15688 (Recommend amount set forth below):

| | |
|--|--|
| <u>Total appropriated (by municipality):</u> | <u>Total raised (regional learning community assessments by municipality):</u> |
| <u>Town A (\$amount)</u> | <u>Town A (\$amount)</u> |
| <u>Town B (\$amount)</u> | <u>Town B (\$amount)</u> |
| <u>Town C (\$amount)</u> | <u>Town C (\$amount)</u> |
| <u>Regional Learning Community</u> | <u>Regional Learning Community</u> |
| <u>Total Appropriated</u> | <u>Total Raised</u> |
| <u>(\$sum of above)</u> | <u>(\$sum of above)"</u> |

(2) The following statement must accompany the article in subparagraph (1). "Explanation: The regional learning community's contribution to the total cost of funding public education from kindergarten to grade 12 as described in the Essential Programs and Services Funding Act is the amount of money determined by state law to be the minimum amount that the regional learning community must raise and assess in order to receive the full amount of state dollars."

C. The state share of the total cost of funding public education from kindergarten to grade 12 as described in section 15688, excluding state-funded debt service for each school administrative unit, is limited to the same proportion as the local school administrative unit raises of its required contribution to the total cost of education as described in section 15688, excluding state-funded debt service costs.

2. Non-state-funded debt service. For a school administrative unit's indebtedness previously approved by its legislative body for non-state-funded major capital school construction projects or non-state-funded portions of major capital school construction projects and minor capital projects, the legislative body of each school administrative unit

may vote to raise and appropriate an amount up to the regional learning community's annual payments for non-state-funded debt service.

A. An article in substantially the following form must be used when a school administrative unit is considering the appropriation for debt service allocation for non-state-funded school construction projects or non-state-funded portions of school construction projects and minor capital projects.

(1) "Article: To see what sum the (regional learning community) will raise and appropriate for the annual payments on debt service previously approved by the legislative body for non-state-funded school construction projects, non-state-funded portions of school construction projects and minor capital projects in addition to the funds appropriated as the local share of the school administrative unit's contribution to the total cost of funding public education from kindergarten to grade 12. (Recommend \$.....)"

(2) The following statement must accompany the article in subparagraph (1). "Explanation: Non-state-funded debt service is the amount of money needed for the annual payments on the (regional learning community's) long-term debt for major capital school construction projects and minor capital renovation projects that are not approved for state subsidy. The bonding of this long-term debt was previously approved by the voters or other legislative body."

3. Additional local appropriation. A school administrative unit may raise and expend funds for educational purposes in addition to the funds under subsections 1 and 2.

A. If the amount of the additional funds does not result in the unit's exceeding its maximum state and local spending target established pursuant to section 15671-A, subsection 4, an article in substantially the following form must be used when a school administrative unit is considering the appropriation of additional local funds:

(1) "Article: To see what sum the (regional learning community) will raise and to appropriate the sum of (Recommend \$.....) in additional local funds for school purposes under the Maine Revised Statutes, Title 20-A, section 15690. (Recommend \$.....)"

(2) The following statement must accompany the article in subparagraph (1). "Explanation: The additional local funds are those locally raised funds over and above the school administrative unit's local contribution to the total cost of funding public education from kindergarten to grade 12 as described in the Essential Programs and Services Funding Act and local amounts raised for the annual payment on non-state-funded debt service that will help achieve the (regional learning community 's) budget for educational programs."

B. If the amount exceeds the unit's maximum state and local spending target established pursuant to section 15671-A, subsection 4, an article in substantially the following form must be used when a school administrative unit is considering an appropriation of additional local funds.

(1) "Article: Shall (name of regional learning community) raise and appropriate \$..... in additional local funds, which exceeds the State's Essential Programs and Services allocation model by \$..... as required to fund the budget

recommended by the (school committee or board of directors)?"

The (school committee or board of directors) recommends \$..... for additional local funds and gives the following reasons for exceeding the State's Essential Programs and Services funding model by \$.....:

(2) The following statement must accompany the article in subparagraph (1). "Explanation: The additional local funds are those locally raised funds over and above the school administrative unit's local contribution to the total cost of funding public education from kindergarten to grade 12 as described in the Essential Programs and Services Funding Act and local amounts raised for the annual payment on non-state-funded debt service that will help achieve the (regional learning community's) budget for educational programs."

4. Total budget article. A school administrative unit must include a summary article indicating the total annual budget for funding public education from kindergarten to grade 12 in the school administrative unit. The amount recommended must be the gross budget of the school system. This article does not provide money unless the other articles are approved.

A. "Article: To see what sum the (regional learning community) will authorize the school committee to expend for the fiscal year beginning (July 1,) and ending (June 30,) from the school administrative unit's contribution to the total cost of funding public education from kindergarten to grade 12 as described in the Essential Programs and Services Funding Act, non-state-funded school construction projects, additional local funds for school purposes under the Maine Revised Statutes, Title 20-A, section 15690, unexpended balances, tuition receipts, state subsidy and other receipts for the support of schools. (Recommend \$.....)"

5. Vote. Actions taken pursuant to subsections 1 to 4 must be taken by a recorded vote.

Sec. MM-78. 20-A MRSA §15691, sub§3 is enacted to read:

3. Repeal. This section is repealed effective June 30, 2008.

Sec. MM-79. 20-A MRSA §15691-A is enacted to read:

§15691-A. Municipal assessment paid to a regional learning community

1. Presentation of assessment schedule. The assessment schedule based on the budget approved at a regional learning community budget meeting must be presented to the treasurer of each municipality that is a member of the regional learning community. The assessment schedule must include each member municipality's share of the school administrative unit's contribution to the total cost of funding public education from kindergarten to grade 12 as described in section 15688, the school administrative unit's

contribution to debt service for non-state-funded school construction projects and additional local funds for school purposes under section 15690-A.

2. Municipal treasurer's payment schedule. The treasurer of the member municipality, after being presented with the assessment schedule, shall forward 1/12 of that member municipality's share to the treasurer of the regional learning community on or before the 20th day of each month of the fiscal year beginning in July.

Sec. MM-80. 20-A MRSA §15692, sub-§3 is enacted to read:

3. Repeal. This section is repealed effective June 30, 2008.

Sec. MM-81. 20-A MRSA §15693, sub-§9 is enacted to read:

9. Repeal. This section is repealed effective June 30, 2008.

Sec. MM-82. 20-A MRSA §15694, sub-§5 is enacted to read:

5. Repeal. This section is repealed effective June 30, 2008.

Sec. MM-83. 20-A MRSA §15695, sub-§4 is enacted to read:

4. Repeal. This section is repealed effective June 30, 2008.

Sec. MM-84. 20-A MRSA §15754 as amended by PL 2005, c. 386, Part E, §1 is repealed.

Sec. MM-85. 20-A MRSA §15755 as enacted by PL 2005, c. 2, Part D, §63 is repealed.

Sec. MM-86. 20-A MRSA §15901, sub-§1 enacted by PL 1981, c. 693, §5 and §8 is amended to read:

1. Concept approval. "Concept approval" means the initial approval of a school construction project by the state board which indicates:

- A. Acknowledgment of the ~~local~~ regional need;
- B. Approval of the preliminary design;
- C. Approval of estimated costs; and
- D. The state board's intent to issue final approval subject to a favorable local vote and approval of final cost estimates.

Sec. MM-87. 20-A MRSA §15901, sub-§4 as amended by PL 2005, c. 683, Part B, §§12-14 is further amended to read:

4. School construction project. "School construction project" means:

- A. On-site additions to existing schools;
- B. New schools;
- C. The cost of land acquired in conjunction with projects otherwise defined by this subsection;
- D. The building of or acquisition of other facilities related to the operation of regional learning communities ~~school administrative units~~;
- E. The complete restoration of existing school buildings in lieu of replacement when in the judgment of the commissioner the action is in the best interest of the State and the regional learning community ~~local unit~~; and
- F. Off-site construction only if, in the judgment of the commissioner, it is economically in the best interests of the State or there is no other practical way to complete a project.

"School construction project" does not mean the purchase, lease-purchase or construction of portable temporary classroom space, as defined in section 15672, subsection 21-B, the lease-purchase of bus garage and maintenance facilities or a permanent space lease-purchase project as defined in section 15901, subsection 4-B.

Sec. MM-88. 20-A MRSA §15901, §§6 to 8 as amended by PL 2003, c. 545, §5 are further amended to read:

6. School administrative unit. "School administrative unit" means a school administrative unit as defined by section 1, subsection 26 ~~and a career and technical education region as defined by section 8301-A, subsection 6, except that in section 15907, the reference to "unit" or "school administrative unit" means a unit within a career and technical education region.~~

7. School board. "School board" means a school board as defined in section 1, subsection 28 ~~and the cooperative board of a career and technical education region.~~

8. Superintendent. "Superintendent" means a superintendent as defined by section 1, subsection 39, ~~and the director of a career and technical education region, if that person had been appointed to serve as administrative officer of the region, or the superintendent who has been appointed to serve as ex officio administrative officer.~~

Sec. MM-89. 20-A MRSA §15902 as amended by PL 1999, c. 81, §8 is further amended to read:

§15902. Administrative units

1. Building committee. The legislative body of a regional learning community school administrative unit may establish a special building committee at a regular or specially called meeting held prior to a school construction project receiving the concept approval provided in section 15901. If the legislative body does not establish a special building committee, the regional school board shall act as the building committee and may delegate the powers and duties of the building committee to the superintendent. If a vacancy occurs in the membership of a special building committee established under this subsection by the legislative body, the legislative body may fill that vacancy. The powers and duties of the building committee must be determined at the time of its establishment by the legislative body of the regional learning community school administrative unit, or by the regional school board when it acts as the building committee and delegates those powers and duties to the superintendent. Powers and duties not assigned to the building committee that are not specifically delegated to other entities in this section remain with the regional school board.

2. School board approval. A plan for a school construction project voted for by a regional learning community school administrative unit shall be approved by the school board.

3. Authority to sell bonds. A regional learning community school administrative unit may sell bonds to raise the local share of project costs.

4. Final report to commissioner. On the completion of a school construction project or a permanent space lease-purchase project, the building committee shall certify to the commissioner that the construction project has been completed in conformity with the approved plans and specifications.

Sec. MM-90. 20-A MRSA §15903 sub-§5 as amended by PL 1999, c. 81, §10 is further amended to read:

5. Inspection and compliance. Review and inspection of school construction projects and permanent space lease-purchase projects for compliance with approved plans and specifications must be provided in accordance with this subsection.

A. If it appears to the commissioner that the school construction project or permanent space lease-purchase project has not been completed in conformity with the approved plans and specifications, the commissioner may cause an inspection of the project to take place.

B. Upon receipt by the commissioner of a written petition from one or more residents of the ~~school~~-administrative unit where the school construction project or permanent space lease-purchase project is located claiming that the project has not been completed in conformity with the approved plans and specifications, the commissioner shall cause an inspection of the project to be made or shall issue a written explanation to the petitioner or petitioners explaining the commissioner's refusal to do so. The petitioner or petitioners shall certify as part of the petition that the claim of nonconformance has been brought to the attention of the superintendent

of the ~~region school administrative unit~~ in which the school construction project or permanent space lease-purchase project is located and that the superintendent has failed to respond in a satisfactory manner to that claim.

C. If an investigation is held, the commissioner shall notify the building committee, or legislative body of the ~~school administrative unit~~ regional learning community when no building committee exists, of the findings of the investigation and of any changes required. The building committee or legislative body of the ~~school administrative unit~~ regional learning community shall make the changes within a reasonable period of time. Failure to do so shall render the ~~school administrative unit~~ regional learning community liable to the penalties provided in section 6801-A.

Sec. MM-91. 20-A MRSA §15904 as amended by PL 2005, c. 683, Part B, §15 is further amended to read:

§15904. Local vote

Prior to final approval by the state board, a school construction project, except a small scale school construction project as defined in section 15901, subsection 4-A, must receive a favorable vote conducted in accordance with the following.

1. Municipal schools. In a municipality where the responsibility for final adoption of the school budget is vested in a municipal council by municipal charter or in a town meeting, the vote shall be by referendum in accordance with the appropriate provisions set forth in Title 21-A and Title 30-A, except that the filing requirement contained in Title 30-A, section 2528, subsection 5, does not apply. This subsection is repealed June 30, 2008.

2. School administrative districts. In a ~~school administrative district~~ regional learning community the vote must be conducted in accordance with section 1305 or sections 1351 to 1354.

3. Community school districts. In a community school district, the vote shall be conducted in accordance with Title 30-A, sections 2528 to 2532. The return and counting of votes shall be conducted in accordance with the procedures established in section 1353, subsection 3. The district school committee shall:

A. Issue a warrant ordering the municipalities within the district to place the school construction article on the ballot; and

B. Prepare and furnish the required number of ballots for carrying out the vote.

This subsection is repealed June 30, 2008.

4. Form. The article shall indicate:

D. The estimated amount of the additional operating costs during each of the first 2 years; and

E. The ~~school administrative unit~~ regional learning community is responsible for the local share of annual principal and interest payments for this school construction

project included in the total cost of education appropriated pursuant to section 15690, subsection 1, if any, and for the annual principal and interest payments for the non-state-funded portion of this school construction project.

5. Career and technical education regions. In a career and technical education region, the vote must be conducted in accordance with sections 1351 to 1354 and section 8465. References in sections 1351 to 1354 to school administrative unit and board of directors mean career and technical education region" and "cooperative board," respectively. This section is repealed June 30, 2008

6. Permanent space lease-purchase projects. A permanent space lease-purchase project, as defined in section 15901, subsection 4-B, whose costs are wholly eligible as debt service costs for subsidy purposes under section 15672, subsection 2-A, paragraph B must receive a favorable vote of the legislative body of the regional learning community ~~school administrative unit~~. A permanent space lease-purchase project whose lease-purchase costs are not eligible as debt service costs for subsidy purposes under section 15672, subsection 2-A, paragraph B must receive a favorable vote of the legislative body conducted in accordance with this section, except that subsection 4 does not apply. The vote may authorize the regional school board ~~or school committee~~ to enter into a mortgage, security interest or other encumbrance on the permanent space lease-purchase project determined to be necessary for the permanent space lease-purchase project.

Sec. MM-92. 20-A MRSA §15905, sub-§5 as amended by PL 1993, c. 410, Part ZZZ, §1 is further amended to read:

5. Approval criteria. In approving school construction projects, the state board shall ensure that regional learning communities ~~school administrative units~~ have made efficient use of existing school facilities within the region ~~unit~~ and have explored and when feasible developed agreements for sharing facilities with neighboring regions ~~school administrative units~~.

Sec. MM-93. 20-A MRSA §15905, sub-§6 as enacted by PL 1995, c. 632, §2 is amended to read:

6. Facility maintenance plan required. The state board shall require a ~~school administrative unit~~ regional learning community applying for state funds for a school construction project to establish a facility maintenance plan for the projected life cycle of the proposed school building. The department shall provide technical assistance to regional learning communities ~~school administrative units~~ in carrying out this section. Assistance must include, but is not limited to, the provision of a model facility maintenance plan and the provision of technical and other assessment information from the school facilities inventory under section 15917.

Sec. MM-94. 20-A MRSA §15905, sub-§7 as amended by PL 2005, c. 683, Part B, §16 is further amended to read:

7. Interest-only interim local financing. Notwithstanding any provision of law or rule to the contrary, the state board may accelerate the dates on which it grants concept approval and funding approval for a school construction project that has been placed on the special priority list of the state board on the condition that the ~~school administrative unit~~ regional learning community provide interest-only interim local financing for the project in accordance with this subsection. The period of interest-only interim local financing must be determined by the state board at the time concept approval is granted for a project and must be based on the time difference between the date that final funding approval is expected to be granted on an accelerated basis and the date that final funding approval would have been expected to be granted in the normal course. The period of interim local financing for a project may not exceed 5 years.

Notwithstanding any provision of law or rule to the contrary, a regional learning community ~~school administrative unit, including a school administrative unit established by private and special law,~~ authorized to issue securities for school construction purposes may issue its securities for school construction purposes on an interest-only basis during a period of interest-only interim local financing approved by the state board in accordance with this subsection. The period of interest-only interim local financing must precede, and be in addition to, the periods for interest payments and principal payments otherwise established pursuant to the school construction rules of the state board. The length of the period of interest-only interim local financing and the length of the debt service schedule otherwise established must be clearly stated on the face of the securities.

The interest-only payments made by a ~~school administrative unit~~ regional learning community during the period of interim financing must be paid from local funds without state participation and may not be included in the ~~unit's~~ regional learning community's debt service costs for state subsidy purposes under section 15672, subsection 2-A. Such interest-only payments during the period of interim local financing may not be considered debt service costs as defined in section 15672, subsection 2-A for purposes of calculating amounts subject to the debt service limit established by this section.

The referendum question that is submitted to the voters for a project subject to interest-only interim local financing under this subsection must include, in addition to the information required by section 15904, an informational statement that sets forth the length of the period of interest-only interim financing established by the state board, an estimate of the annual interest cost during the period of interest-only interim local financing and a statement that the interest-only payments during the period of interim local financing is not eligible for inclusion in the debt service allocation of the regional learning community ~~school administrative unit~~ for purposes of calculating state school construction subsidy to the regional learning community ~~unit~~.

The maximum period that securities for a school construction project may be outstanding under any applicable statute or rule must be extended by the length of the period of interest-only interim local financing approved by the state board under this subsection.

If the voters of a regional learning community ~~school administrative unit~~ do not vote to approve a school construction project subject to interest-only interim local financing under this subsection, the ~~unit's~~ regional learning community's school construction project remains eligible for concept and funding approval from the state board at the time that the project would be eligible for such approval without interest-only interim location

funding.

Sec. MM-95. 20-A MRSA §15905-A, sub-section 4 as enacted by PL 1995, c. 99, §2 is amended to read:

4. Municipal schools. In a municipal school unit where the responsibility for final adoption of the school budget is vested in the municipal council by municipal charter, a nonstate funded project may be approved without a referendum vote if the charter does not require a referendum. This subsection is repealed June 30, 2008.

Sec. MM-96. 20-A MRSA §15907 as amended by PL 1997, c. 787, §10 is further amended to read:

§15907. Payment

1. Payment of State's share. The state allocation for debt service costs must be paid by the commissioner to each unit according to that ~~unit's~~ regional learning community's debt retirement schedule and rules adopted pursuant to this chapter.

A. For all current and future debt service costs payable by a regional learning community ~~school administrative unit~~ to the Maine Municipal Bond Bank, the state allocation for debt service costs must be paid by the commissioner to the bond bank or its designated trustee one business day prior to the date of the ~~unit's~~ regional learning community's next debt service cost payment as outlined in the ~~unit's~~ regional learning community's debt retirement schedule and in accordance with rules adopted pursuant to this chapter. If the payment date falls on a Monday, payment must be made to the bond bank on the preceding Friday.

B. At least 60 days prior to the date of the regional learning community's ~~school administrative unit's~~ next debt service cost as outlined in the unit's debt retirement schedule, the commissioner shall inform the bond bank as to the regional learning community's ~~unit's~~ state share of debt service for its next debt service payment.

2. Payment of local share. A ~~school administrative unit~~ regional learning community shall pay the local share of their project costs.

Sec. MM-97. 20-A MRSA §15908, sub-4, as enacted by PL 1993, c. 721, Pt. B, §1 and affected by Pt. H, § is amended to read:

4. Consistent siting. The state board shall adopt criteria governing applications under this chapter to direct construction projects for new schools to areas determined suitable under the provisions of Title 30-A, chapter 187, subchapter II, by the ~~municipality~~ region within which the project will be located. The board may not require a minimum contiguous parcel size for the project as a condition of approval.

Sec. MM-98. 20-A MRSA §15908-A, sub-3 as enacted by PL 2003, c. 497, §2 and affected by §5 is amended to read:

3. Requirements for approval. The state board shall withhold approval of a state-funded new or substantially renovated school or school building if the ~~local~~ regional school authority proposing the project can not show that it has duly considered the most energy-efficient and environmentally efficient designs suitable in accordance with rules adopted pursuant to this section

Sec. MM-99. 20-A MRSA §15909 as amended by PL 1987, c. 803, §3 and §5 is further amended to read:

§15909. Financing

1. Rate of construction aid. A ~~school administrative unit's~~ regional learning community's initial local share of the total cost of a project shall be either 5% of the total cost or the equivalent of one mill multiplied by the ~~unit's~~ regional learning community's state valuation, whichever is less.

A. The one mill shall be calculated on the state valuation in effect at the time the project is first approved by the state board.

B. The ~~unit's~~ regional learning community's initial local share shall be applied to the project costs during the period of construction.

C. The ~~unit's~~ regional learning community's initial local share may be derived from local appropriations or gifts.

D. The ~~unit's~~ regional learning community's initial local share shall not be considered an educational cost for inclusion in the ~~unit's~~ regional learning community's state-local allocation under chapter 605.

E. This subsection does not apply to projects approved in local referendum under section 15904 after June 30, 1985.

2. Bonds. A ~~school administrative unit~~ regional learning community shall sell bonds in its name for the total cost of the project minus the amounts listed in paragraph A. Bond sales shall be consistent with rules adopted or amended by the state board.

A. The amount to be bonded shall be determined as follows. The total cost of the project shall be reduced by:

(2) Proceeds from insured losses;

(3) Money from federal sources; and

(4) Other noneducational funds, except gifts and money from federal revenue sharing sources.

B. A ~~school administrative unit~~ regional learning community may borrow money for projects in anticipation of bond sales. Borrowing shall be consistent with rules adopted or amended by the state board.

3. Deductions; cost of project. Proceeds from insured losses, money from federal sources and other noneducational funds shall be deducted from the total cost of the

project to determine the amount on which the state's share shall be calculated. Proceeds from gifts or moneys from federal revenue sharing sources shall be treated as local appropriations.

4. Construction projects approved in fiscal year 1984-85. School administrative units which received voter approval on a school construction project in a referendum under section 15904 in fiscal year 1984-85 shall include the initial local share under subsection 1 in the total cost of the project under subsection 2, paragraph A.

Sec. MM-100. 20-A MRSA §15910 as amended by PL 2003, c. 689, Part B, §6 is further amended to read:

§15910. Requirements

The following requirements shall apply to a school construction project.

1. Applications. An application for approval of a project shall include the information required by the state board.

2. Reports. A ~~school administrative unit~~ regional learning community shall file:

A. A copy of the debt retirement schedule with the commissioner as soon as bonds are sold; and

B. A final report on a project to include any information the commissioner may require. This report shall be made within the time specified by rule by the commissioner.

3. Penalty. Failure to submit accurate reports within specified times shall be deemed sufficient cause for withholding school construction aid until the regional learning community ~~school administrative unit~~ complies.

4. Time of signing. A regional learning community ~~school administrative unit~~ may not sign a contract for construction or begin construction until the final plans and specifications have been approved by the commissioner, the Bureau of Public Improvements, the Department of Health and Human Services and the State Fire Marshal.

Sec. MM-101. 20-A MRSA §15911 as enacted by PL 1981, c. 694, §5 and §8 is amended to read:

§15911. Community services; conditions of approval

The state board may approve construction of school buildings without obligating the State to pay a share of the costs of those buildings, if those portions are to be constructed to fulfill a community service need.

1. Community service. "Community service" means a service which does not fulfill an educational purpose or which is not restricted to a school-age population.

2. Breakdown of costs. If construction of facilities to meet a community service

need occurs in conjunction with a school construction project, the board shall:

- A. Require a breakdown of costs for the entire project; and
- B. Approve a plan as to how operating costs, including repairs, shall be shared by agreement between the municipal officers and the regional school board.

3. Findings. The state board's finding shall become a part of the certificate of approval and shall be the basis on which all costs shall be apportioned between the municipality and the regional board ~~school administrative unit~~ for as long as that portion of the project shall:

- A. Continue to serve that community need; and
- B. Remain under the control of persons other than the regional school board.

4. Application. An application from a ~~school administrative unit~~ regional learning community for approval of a school construction project shall include evidence that approval will result in meeting or helping to meet the total construction and program needs of the area to be served.

Sec. MM-102. 20-A MRSA §15912 as enacted by PL 1981, c. 694, §5 and §8 is amended to read:

§15912. Inspection of facility; compliance

If it appears that a ~~school administrative unit~~ regional learning community has failed to maintain a school facility which protects the health, welfare and safety of the persons utilizing the facility, the commissioner may cause an inspection to be made. The commissioner shall notify the regional learning community ~~school administrative unit~~ of the findings of the investigation and of any changes to be made. The ~~school administrative unit~~ regional learning community shall make the changes promptly. If it fails to make the changes, it shall be liable to the penalties provided in section 6801.

Sec. MM-103. 20-A MRSA §15913 as enacted by PL 1981, c. 694, §5 and §8 is amended to read:

§15913. School bus shelters

1. Placement. School bus shelters for school children, when approved by the regional school board of the ~~unit~~ regional learning community in which they are located, may be placed or maintained outside the right-of-way and at least 33 feet from the center line of a highway.

2. Requirement. A shelter shall be:

- A. Constructed of steel or other durable material with concrete floor raised above ground level;
- B. Kept clean, well painted or otherwise suitably maintained at all times; and
- C. Kept free from snow.

3. Removal. The regional school board may order its removal if it does not meet these requirements.

Sec. MM-104. 20-A MRSA §15915 as amended by PL 2005, c. 499, §1 is further amended to read:

§15915. Energy service companies and 3rd-party financing

1. Initial agreement. Any ~~school administrative unit~~ regional learning community may enter into an agreement of up to 15 years with a private party, such as an energy service or 3rd-party financing company, for the design, installation, operation, maintenance and financing of energy conservation or combined energy conservation and air quality improvements at existing ~~school administrative unit~~ regional learning community facilities. The ~~school administrative unit's~~ regional learning community's costs to enter into such an agreement are not applicable to the ~~unit's~~ regional learning community's school construction project costs, the debt service on which is eligible for subsidy purposes under section 15907. Such an agreement is deemed to be a professional service, which is not subject to the competitive bidding requirements of Title 5, section 1743-A, if the agreement:

- A. Provides for operation or maintenance of the improvement for at least 5 years or the entire term of the financing agreement if longer than 5 years;
- B. Requires a guaranty by the contractor that the improvement will meet performance criteria set forth in the agreement for at least 5 years or for the entire term of the financing agreement if longer than 5 years; and
- C. Has a total contract cost, excluding interest and operating and maintenance costs, of less than \$2,000,000 for any school building.

A ~~school administrative unit~~ regional learning community may select contractors for these professional services on the basis of a request for qualifications or a request for proposals and it is not required to use a competitive method set forth in this chapter and Title 5, section 1743-A and Private and Special Law 1999, chapter 79. The selection process must include at a minimum a request for qualifications or a request for proposals that is advertised in a newspaper of general circulation in the region ~~school administrative unit~~ and a newspaper of general circulation in the City of Augusta. The ~~school administrative unit~~ regional learning community shall interview not fewer than 3 service providers unless a smaller number of service providers responds to the request for qualifications or requests for proposals.

The performance criteria in the agreement is subject to approval by the Department of Administrative and Financial Services, Bureau of General Services. A request for qualifications or proposals may not contain terms that require service providers to have more than 3 years of experience in the energy conservation field or the use of equipment that is not generally available to service providers or terms that are otherwise included for the purpose of bias or favoritism toward a particular service provider. Objections to the

terms of a request for qualifications or proposals under this subsection are deemed waived if not delivered in writing to the office of the superintendent of schools in that ~~school administrative unit~~ regional learning community within 21 days of the last publication of the newspaper advertisement.

2. Future operation. Any regional learning community ~~school administrative unit~~, at the termination of the agreement with the private party pursuant to this section, may acquire, operate and maintain the improvement, may renew the agreement with the private party or may make an agreement with another private party to operate and maintain the improvement.

Sec. MM-105. 20-A MRSA §15915-A §§ 1 and 2 as amended by PL 2003, c. 545, §5 are further amended to read:

§15915-A. Telecommunications service agreements

1. Service agreements. The governing bodies of regional learning communities ~~school administrative units and career and technical education regions~~ are authorized to enter into agreements for not more than 10 years with private entities such as telecommunications service providers to purchase telecommunications services, including services for interactive audio and visual communication and transmission of data for educational purposes.

2. Interlocal agreements. The governing bodies of ~~school administrative units~~ regional learning communities ~~and career and technical education regions~~ are authorized to enter into interlocal agreements in accordance with Title 30-A, chapter 115 and may organize or cause to be organized joint boards and legal entities including public nonprofit corporations under Title 13, chapter 81 and Title 13-B to purchase telecommunications services and to acquire customer premise telecommunications, as defined by the Public Utilities Commission, and related technology equipment.

Sec. MM-106. 20-A MRSA §15918 as enacted by PL 1997, c. 787, §11 is amended to read:

§15918. Maintenance and capital improvement plan assistance

The department and the Department of Administrative and Financial Services, Bureau of General Services shall provide assistance to regional learning communities ~~school administrative units~~, including the unorganized territories, in establishing maintenance and capital improvement programs under section 4001, subsection 7. The department, with assistance from the Department of Administrative and Financial Services, Bureau of General Services, shall provide a maintenance template, software and assistance with initial inventory inputs to ensure consistent comprehensive local maintenance and capital improvement plans and to provide for electronic reporting of maintenance and capital improvement progress by ~~school administrative units~~ regional learning communities to the department. The Department of Education and the Bureau of General Services shall adopt rules necessary to implement this section. Rules adopted by the Department of Education and the Bureau of General Services to implement this

section are major substantive rules pursuant to Title 5, chapter 375, subchapter II-A.

Sec. MM-107. Property Tax Reduction. Each school unit shall provide the property tax reductions available to the unit's property taxpayers from both of the following: this Part's increase in student class sizes for FY 08 and FY 09, the reduction in the annual administrative cost per student from \$346 to \$186 and the savings from the regionalization of school administrative units in FY 09. Each school unit shall report to the Department of Education, in a format provided by the department that it has passed on the property tax reductions resulting from this Part to the unit's property taxpayers. The Department of Education shall report this property tax reduction information for each school unit to the unit's property taxpayers.